[For information on the councils (jemas) on the ar-rba or tribal level, see Category 619.]

623

[For councils (jemas, jma'th) on the ar-rba or tribal level, see Categories 619 and 646.]

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CHAPTER VII

GOVERNMENT AND WARFARE

REPRESENTATIVE COUNCILS

623 RIFFIAN government is a highly complex system based on the principles of superimposed representative councils. The smallest and least important of these is the *asht arbain n dchar*, or village council,[1] which concerns itself with the affairs of its own *bone* only. The second is the *asht arbain imkaranen*, or council of the great,[2] which has charge of the administration of the *canton*. Each member of the latter council is called by the title *amghar* (plural *imgharen*), or "Councillor"; these councillors go as units to the tribal council,[3] called *ayarau* (plural *iyarawen*).

The village council, or council of the *bone*, is composed of two or three boys from each *vein* which claims patrilineal descent from the common founder of the *bone*. *Veins* descended from incoming or adopted strangers are not allowed to be thus represented. The boys are chosen by the members of the council of the great, supposedly by virtue of their superior intelligence and promise of future ability. The element of personal favoritism naturally enters into the choice in many cases. These boys meet together in the village mosque, elect a *mokaddem* (plural *mokaddemin*), or "moderator,"[4] and judge cases of minor misdemeanor brought before them. Although the cases given them are unimportant, their authority is real and their elders see that their decrees are enforced.

The membership of the council of the great is indeterminate in number, but seldom exceeds three or four from each prominent *bone* of long residence in the *canton*. There are two kinds of *bones* which do not send members to this council, those of long standing which are poor and of little military worth, and those formed by the cleavage of *veins* sired by outsiders. When a *bone* of alien origin is new and the memory of this origin is fresh in the minds of all, it cannot participate in the government of the *canton*, but after a number of generations, when such memories have become dim and the *bone* has come to be considered indigenous, it may be allowed to send its councillors with the others. The selection of councillors to be sent from each *bone* is made by the old men who frequent the common mosque of the *canton*. These men are too decrepit to serve, but all of them at one time during their younger years were councillors. Thus the councillors perpetuate themselves: when they are too old to be of active use in the council they dictate who shall succeed them. This being the case, it is only natural that the succession should become to a certain extent hereditary. An ex-councillor is likely to name one of his sons to take the office he formerly held, or if he has no son competent for the task he nominates a nephew, brother, or grand-

[1] This means literally "The sons of the forty of the village." Where the idea of the number forty comes from is a difficult question. It recurs time and again in Berber lore as a conventional number.

[2] The literal meaning is "the great sons of the forty."

[3] This term will also be used to signify the place in which the council is held.

[4] This Arabic word, which is applied to a number of different types of officials, both civil and religious, may in this case be translated as either "moderator" or "spokesman." In the *Village Council* only the former term applies, but in the *Council of the Great* either may be used.

[For comment on this, see the 111 slip, -Analyst] [p. 96]

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son. In this way certain *veins* within each *bone* manage to control the seats of that *bone* within the council of the great, but if a man of great ability arises in a *vein* of eligible standing which has not previously sent a representative, the old men may be forced by expediency to send him rather than a member of their own *vein*, who may be of mediocre ability. Sometimes, however, a councillor is chosen who is exceptionally stupid and incapable of expressing himself well in deliberations. Such a councillor is chosen for his physical strength and fighting ability, since deliberations of these bodies often end in pitched battles; two or three intelligent men may be enough to bear the brunt of the mental labor involved, and the others can serve as valuable henchmen in a crisis.[1]

The council of the great meets in the common mosque of the *canton*, under the olive trees by a stream, in the house of one of its members, in market (see plate 30), or wherever it pleases the members to convene. The councillors elect a *mokaddem* as moderator and spokesman.

The councillors of each *canton* in the tribe go together, in time of crisis, to a place agreed upon, called the *ayarau* (which means also "tribal council"). This meeting place has no fixed locality, but depends upon mutual convenience. The councillors enter by groups and sit down on the ground huddled together, the various groups forming a circle. Each *fifth* occupies a section of the circle and its councils of *cantons* are contiguous. The moderator of each council talks, generally in a whisper, to its members, until a common attitude in regard to the subject of the meeting is agreed upon. The moderator now having, as it were, received the instructions of his constituency, approaches the center of the circle, where he squats down with the other moderators in a nuclear circle. The councillors left on the outer ring finger their rifles and generally express their readiness to defend their spokesman in case he enters into a violent argument; the moderators likewise hold their gun butts against the ground with their fingers clasping the trigger guard. They discuss the matter at hand, all talking at once or whenever they please, since there is no chief moderator at this meeting, and for one member to bid another be silent would be considered ample excuse for murder. The moderators of a *fifth* usually agree within themselves, and the argument soon devolves into consideration of how many *fifths* favor one opinion and how many the other. A moderator of one *fifth* may lead aside an influential moderator of another and whisper to him outside the ring of councillors, trying to win him over to his way of thinking by arguments and promises of bribery. If the moderator so entreated succumbs to this persuasion he returns to the central ring and tries to change the attitude of the other representatives of his *fifth*. In this way the parley goes on and on until an unanimous decision is reached or until the councillors begin fighting between themselves and the meeting breaks up in a battle. In the latter case the opponents form martial alliances, and the fight continues until one side has been defeated and made to pay an indemnity to the other. Even when the tribal council ends peacefully it often takes a week or more before an agreement is reached.

We thus see that the deliberative bodies in Riffian government are really composed of but two sets of members, the village council composed of adolescents who handle the small

[1] During the combats with Spain in the last three decades, certain councillors have arisen from time to time who have acted as virtual dictators. Among these were Moh Aserkan of the Beni Urriaghel, Hajj Bukkeiah of the Gzennaya, and, more widely known than the others, Abd el Krim. The rise of such dictators is psychologically un-Riffian; in these cases it was brought about by too late a realization of the necessity of union against a common foe.

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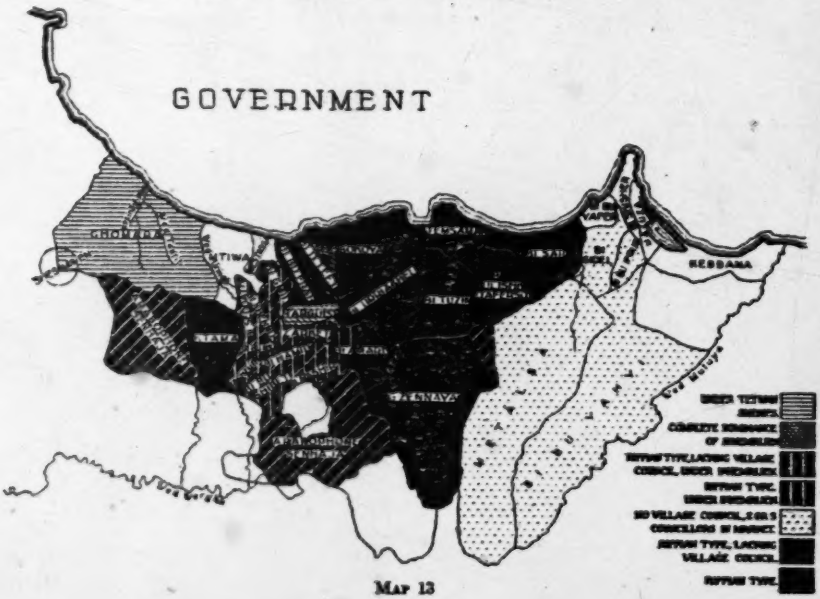
623 646 affairs of the *bone* and the council of the great, composed of councillors who concern themselves with the problems of the *canton* and go together to take part in the tribal council in which the function of the *fifth* is to divide the councillors into preliminary alliances.

The type of government just described is limited to the tribes of Beni Said, Beni Ulishk, Tafersit, Temsaman, Beni Tuzin, Gsennaya, Beni Urriaghel, Bokoya, Beni Itteft, Beni Bu Frah, most of Beni Amart (exclusive of the region immediately contiguous with Zarket and Beni Mesduy), and, curiously enough, the Senhajan tribe of Ktama.



MAP 13

619 642 The following tribes or parts of tribes have the same sort of government, except that the village council is lacking, the minor duties accomplished by it in other regions being neglected or else taken over by the council of the great: the Asht Dris of Metalsa; Marnissa, Fenassa, Ulad Azam, Beni Kora, Bu Adl, Khunduktamda, Zrarka, Beni Krama, and Beni Wenjin, from the Eastern Arabophone Senhaja; and all the Western Arabophone Senhaja.

In Targuist is the center of the temporal authority of the marabutic family of Ikhemrijen, who have absolute political control of that tribe, as well as of the northwesterly portion of Beni Mesduy; in Zarket, in the rest of Beni Mesduy, which counts with it, in Beni Hamid, Beni Bu Shibet, Beni Beshir, Beni Berber, Taghzuth, Beni Bu Nsar, Beni Khennus, Beni Seddath, and Beni Gmil, the same type of government as that described in the previous paragraph obtains except that the Ikhemrijen dictate to the councils what they shall do, and in fact keep the moderators of these bodies practically in vassalage. In these tribes

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

the Ikhemrijen forbid warfare and alliances, with a result that, as a natural outlet for bellicose exuberance, brigandage is rife.

In the northwestern part of Beni Amart, in the *canton* of Ijaonen, the power of the Ikhemrijen prevents warfare and alliance; otherwise the government is purely Riffian in type.

In the Ghomara the Arab system of government is employed, with the customary alignment of ḳaids (leaders of tribes), khalifas (leaders of *fifths*), and sheikhs (leaders of *cantons*), excepting that all these officers are under the jurisdiction of a marabutic family of Tetuan.

Metalsa, except Asht Dris, Beni Bu Yahyi, and Beni Sidel and Beni Bu Ifrur of Galiya, employ a hybrid form of government in which there is no village council and the council of the great consists only of two or three men who meet in the market to administer justice for the region near it.

Mtiwa, Mestassa, Beni Bu Yafer, Ait Shisher, Mazuza, Kebdana, Muziet, Rgheiwa, Ain Mediuna, Bab Wendar, Beni Ulid, Branes, and Burda had fallen completely under the Arab system before the time when Abd el Krim attempted to remodel the government. In the eastern section and in Mtiwa and Mestassa the ḳaid was euphemistically called by the Berber term *amghar* (councillor), and in the Senhajan tribes mentioned the sheikh was called *kebir el jama*, or "great one of the congregation."

DUTIES OF THE VILLAGE COUNCIL

The cases tried by this body and the matters it is required to regulate are as follows (the fines listed are only approximate):

Theft of eggs and of poultry. The thief must pay a fine of thirty dollars. If the culprit is a child, his father appears and pays it.

Theft of maize. Boys who steal early ripening maize are collectively fined five dollars. The injured farmer has the right to pick ripened ears from the terraces of the thieves' parents to the number which he has lost.

Cutting maize in adjoining terraces. Sometimes maize growing in adjoining terraces, owned by different men, ripens at different times. The owner of the later ripening maize may wish to prevent the owner of the other field from cutting his crop until both are ready, through fear that his own maize may be trampled in the process. This situation arises when it is necessary to enter one terrace by passing through the other. In this case the village council enjoins the owner of the early maize to wait until the other is ready.

Breaking branches of fruit trees. If goats or children break branches from a fruit tree, the owner of the tree brings the branch or branches to the mosque, where the village council counts the number of buds on the branch or branches. A *girch* (about five cents) is charged for each bud, the recompense to be paid the owner of the tree, and in addition a fine of twenty dollars must be paid.

Trampling vegetable gardens. This offense is punished by a fine of one to two dollars, with no restitution.

Policing orchards. During the harvest season the members of this body police the orchards of the *bone* during the night to prevent thefts.

Starting the grape picking. The village council, which has charge of allotting poor families to rich ones for the grape picking, exacts a fine of twenty dollars from anyone guilty of picking grapes before the signal is given.

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

623 692 685

Picking windfall olives. Similarly, the head of each family must pay a quarter of a dollar for each member of his family who starts picking up windfalls before the signal is given.

Theft of olives. The outright theft of olives is punished by a fine of ten dollars.

Trespassing in order to pick grass. If a man catches a woman picking or cutting grass for her cow on his land, he may report her, and her husband will be fined one dollar. But to make such a report is considered mean and few are willing to do so.

Stray goats and cattle in the cemetery. When goats or cattle, either with or without the intention of their guardian, enter a cemetery, their owner is fined a quarter of a dollar for each goat, and a dollar for each bull or cow which entered.

[689]

Repair of irrigation ditches. If any farmer fails to send a man or men to work on a ditch, when he is required to do so, he is fined between two and three dollars per day per man.

Taking water illegally from irrigation ditches. This is considered a serious offense, and although it incurs but a five dollar fine, it always breeds bad feelings and often incites to murder.

[782] 623 692 688

Regulating attendance at prayer. To explain this function it is necessary to anticipate the discussion of religion. Each *bone* in the *canton* is required to send twenty-five men once a week to the common mosque of the *canton* to pray. The village council of each *bone* lists the names of all married men in the *bone*: a day is set for each *bone* to attend the mosque, and the *bone* keeps that day permanently. The first week the first twenty-five men on the list must go, the second week the second twenty-five, and so on until the list has been exhausted, when the procedure starts all over again. If the number of married men in the *bone* is not evenly divisible by twenty-five, those forming the remainder at the foot of the list are supplemented by enough at the head of it to fill the number, and the rotation starts anew. It is the task of the village council in whose territory the cantonal mosque is situated to see that twenty-five men appear from each *bone* on the allotted day. If a *bone* is so small that it does not contain twenty-five, it is combined with another *bone* for this purpose.

If the members of the village council of the mosque territory find that a quota is not full on a certain day, they fine the man who has defaulted five dollars. If this is not paid promptly the council of the great steps in and fines the guilty *bone* between two and three hundred dollars. If a man is away on a journey his name is temporarily stricken from the list and the following names are moved up one place; if he is ill or for some other reason unable to go, he is allowed to send a substitute. If a man falls ill on the way, becomes wounded, or is otherwise prevented from reaching the mosque when it is too late to obtain a substitute, his absence is excused.

The fines thus extracted, the proceeds of which go for the upkeep of the mosque, formerly consisted of walnuts, almonds, figs, or raisins. Later, when sugar was first imported, two sugar cones were assessed. Later still the money fine was introduced.

623 681 651 642

Providing for exiles from other fifths. When a man has been exiled by the tribal council for a year, two years, or more, he must pass to a different *fifth*, preferably to a *bone* in which he has friends. The village council of the *bone* collects an assessed portion of the crops of every farmer and gives it to him. This it does for the first year only. If he remains more than a year he must work as a share-laborer for a farmer and earn his living. If a farmer refuses to give his assessed portion it is taken by force, and twofold. Such refusals are, however, almost unknown.

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Entertaining councillors of another tribe. If the councillors of a strange tribe stop at a village for the night, the local village council has charge of their entertainment. They first provide a house for the guests by expelling some childless man and his wife from their dwelling for the night. They then collect foodstuffs. Bread and all fruits, both fresh and dried, nuts, and vegetables, are assessed from rich men without payment. Meat, sugar, tea, candles, oil, pepper, butter, and poultry are purchased from members of the *bone* willing to sell them. The boys of the council buy the poultry from widows, and eggs as well, if no one brings them voluntarily. Anyone refusing to supply the bread assessed him may be fined ten *soldi* a loaf; but since no one has ever been known to refuse, the fine is purely theoretical. If in buying those articles not given, the members of the council spend more money than they have in the fine treasury, they pay the excess amount themselves, later collecting it in equal portions from all the men of the *bone* who have been married one year or over. They themselves act as cooks for the visiting councillors.

Entering council chamber unbidden. If any member of the *bone* enters the council chamber while the council is deliberating, the intruder is told to remain and is given tea. When at length he departs, a member of the council is immediately sent out to call him back. This time he is reprimanded for having entered unbidden, and is fined between two and three dollars.

Conversing with women. If a man or boy speaks to a married woman belonging to a *bone* other than his own, on the path or in any other public place, except the market, the village council of the village to which the woman belongs summons the offender and fines him five dollars. If the offender repeatedly seeks out the woman, or loiters about places she is known to frequent in order to converse with her, the village council of the offender's own *bone* fines him between fifty and sixty dollars. If the offense takes place in market it is considered more serious, and comes before the council of the great.[1] These rules do not apply to unmarried women, who may be spoken to, in a respectful manner, by anyone.

Quarrels between women. When one woman injures another with a stone, stick, or other implement, the village council collects a fine of from five to six dollars from the husband of the aggressor. The council generally hears of such cases through gossip, since the husband of the injured woman is usually too ashamed to report it.

Entering a cemetery occupied by women. If a man or boy enters a cemetery when the women of the *bone* are convening there on a Friday or holiday, he is fined five dollars.

Entering a saint's tomb occupied by women. If a man or boy enters a saint's tomb in which women are convening, the village council fines him from fifty to a hundred dollars.

Fighting with the hands. If two men fight with their hands, without using any weapon, the village council determines which man started the fight and fines him an amount commensurate with the injury done.

Speaking to an enemy. If a man is caught conversing with a member of a hostile *bone*, at a time when war is either in progress or imminent, the village council of his own *bone* fines him fifty dollars.

In the tribes and territories where there is no village council, the rendering of justice in small affairs which is the work of this body is not performed. For example, one man may cut down another's tree or take his grass without any fine or other official reckoning; he can likewise speak to a woman of another *bone*; but if he does these things he incurs the wrath

[1] See below, p. 102.

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

627 of the men affected, and may thus start a feud which will end in killings, after which it becomes the concern of the councillors to render justice.

In regions where the Arab form of government has supplanted the indigenous type, such affairs are decided by the sheikh.

DUTIES OF THE COUNCIL OF THE GREAT

● 623 This council, which is the governing body of the *canton*, does not convene as often as the village council, but comes together only in market and when some occasion demands it, its moderator then sending for the members. In *cantons* which have no markets, the council of the great has no regular meetings.

Supporting the village council. If anyone who has been fined by the village council refuses to pay it, that body sends a messenger to the moderator of the council of the great. The moderator sends for the members, who come armed to a place previously agreed upon and proceed in a body to the house of the offender. There they assess upon a him fine several times that originally imposed, amounting usually to between fifty and two hundred dollars, depending on the offense.

623 692 [685] *Theft of livestock.* A man who has stolen sheep, goats, cattle, donkeys, mules, or horses is summoned before the councillors and fined between a hundred and two hundred dollars, besides being forced to restore to his victim the animals stolen, in cash or in kind. The theft of camels does not incur jurisdiction because of the lawless condition of the nomads who own them. Such a theft simply results in a fight.

[683] *Fighting with sticks.* The councillors decide which of the parties is at fault and fine him fifty dollars. If the *bone* of the injured man is a strong one, the councillors force the culprit to bring a goat, bread, tea, and sugar and go with them to the house of the injured man to present him with a feast. Such a feast, provided by visitors to the house, is a strong act of [689] compulsive magic and cannot be disregarded. The recipient of such a favor must grant any request made and cease enmity against the giver. If the *bone* of the injured man is weak, no precaution of this nature is necessary.

[683] *Shooting at a man but missing him.* He who shoots at another without hitting him must pay a fine of one hundred dollars to the councillors.

[689] *Speaking to women in market.* This offense is considered greater than that of speaking to women in any other place. It is settled by the councillors of the *canton* in whose territory the market is held, and is punished by a hundred dollar fine.

Entering a women's market. For a man to enter a market which is restricted to women is an offense as serious as that of speaking to a woman in a common market, if not more so. It is punished by a fine of a hundred dollars, paid to the councillors.

623 692 684 *Adultery which the injured husband does not discover in the act.* If a husband hears that his wife has been unfaithful, but did not actually witness such an event, he is not allowed to kill the suspected man without incurring the penalty for ordinary murder. He has the privilege of bringing the matter before the councillors, who fine the suspect, if they are reasonably sure of his guilt, between a hundred and two hundred dollars. They forcibly divorce the woman from her husband, and forbid her to remarry him or any other man. Women so divorced return to their parents to live. Such a woman often becomes a prostitute, plying her trade with the greatest secrecy possible. If she is caught doing this, the

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

man with whom she is involved is punished just as was the first convicted offender. If she has been publicly exposed several times as a prostitute, the men of her *bone* kidnap her, carry her into the mountains, and there kill her and hide her body. No notice is taken of her absence, and if the councillors hear about the affair they pretend not to have done so.

If a woman catches her husband in the act of adultery with another woman, she ordinarily goes back to her own people and tells them of it. The men of her family, her father, brothers, or paternal uncle, may bring the matter up before the councillors and have the husband fined and divorced. In many cases, however, the men of her *rein* persuade the woman to do nothing about it, thinking that to make a commotion would only cause the disruption of the *bone*. In case the woman has married outside her *bone*, whether or not action takes place depends largely upon the respect which her own *bone* has for that of her husband. In any case, the sacramental defilement of the man is not considered as great as that of the woman in the opposite situation.

Blood money. Although murders, woundings, and adultery caught in the act are offenses beyond the jurisdiction of the council of the great and are relegated to the tribal council, one consequence of them falls directly upon the councillors. This is the assessment and collection of the *diith*, or blood money. Whereas the tribal council has the right to impose the fine, the council of the great has charge of compensation to the injured family. This takes place after the tribal council has finished its judgment and punishment. Murder is atoned for by the payment of a sum between one and five hundred dollars. The amount varies from *canton* to *canton*, but within a *canton* is constant and inflexible. Wounds are paid for at the rate of twenty-five dollars a month for each month of convalescence, until the injured man is able to work again.

The man who committed the crime pays, if he is able. If he is unable to raise the money by selling his property, the *bone* pays. In some *bones* the group as a whole always pays, whether the guilty one is able to raise the money or not; in others a man other than the guilty one pays, with the understanding that he is to receive the total of the next blood-money payment to his *bone*.

In the *bones* which pay individually, receipts are given to the children of the deceased, and if he left no children, to his father. Children receive the money on the basis that one boy is equal to two girls. If the deceased leaves neither children nor father, it is divided among the members of the *bone*. Many *bones* refuse altogether to receive blood money, preferring to take it out in blood by killing a member of the hostile *bone*, in which case, after the punishment of the tribal council is finished, the account is considered by the councillors as settled. Frequently the injured *bone* accepts the blood money, then suffers a revulsion of feeling and takes blood vengeance in addition, in which case it is required to return the payment.

Murders within the *bone* rarely occur, and are considered unnatural crimes. No blood money is assessed, because such an offender is instantly killed by his own people if he is unable to escape. A man fleeing such a crime will not be harbored by any Riffian, and must continue until he has left the Rif altogether. Even in this case he must take care to go to some place to which Riffians do not ordinarily travel, lest revenge overtake him later.

Attending weddings outside the canton. Another duty of the council of the great, this time of a bloodless nature, is to attend weddings of other councillors or their sons in other *cantons* or *fifths*. This is done in order to foster friendly relations between the two groups.

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

623 The councillors go in a body, taking with them twenty or more girls adept at singing and dancing, hired musicians, a bull or cow, two or three mules laden with bread, and quantities of tea, sugar, and candles. The cost of the presents and the fees of the musicians are paid out of money collected in fines.

DUTIES OF THE TRIBAL COUNCIL

646 692 The task of the tribal council is to render judgment, exact fines, and destroy property in cases of adultery caught in the act, murder, and woundings; to make decisions as to tribal alliances in warfare; and to interfere with internal fights in other tribes.

684 837 *Adultery caught in the act.* A husband who surprises his wife in the act of adultery has the traditional privilege of killing the man, removing his genitals and placing them in the mouth of his corpse, killing his wife, and ripping her from pubis to diaphragm with a knife. This action is a privilege and not a duty. Many husbands are physically unable to do so; others are disinclined; still others mutilate their wives by cutting off the fleshy parts of their noses and let them go. One instance is known in Gzennaya of a man who thrust live coals into his wife's vagina and then released her. In at least half the cases, recently at any rate, no revenge is taken on the woman, her divorce and disgrace being considered ample punishment.

646 684 692 When the members of the tribal council hear of this event, they leave whatever they are doing and go as rapidly as possible to the adulterer's house. This they burn; they impose a fine of one thousand dollars or thereabouts, depending on the usage of the tribe, and on the importance of the *bone*. The fine is accepted either in cash, livestock, land, or in all three. When land and livestock are taken they are sold on the spot, not by bidding but by arbitrary prices, fair to the victim, placed on each animal or portion of land. If the proceeds of the sale exceed the amount of the fine, the balance is returned to the *bone* of the adulterer. If the adulterer and the adulteress belong to different *bones* the burden of the fine is shared between the *bones*. If the adulterer has survived the vengeance of the injured man he must leave the tribe forever. Women who survive go back to their families, forcibly divorced and forbidden to marry again.

T586 684 After the cash of the fine is in hand, it is divided among the *fifths*, each receiving an equal share, to be divided evenly among each *canton* composing the *fifth*. Thus the *canton* of the offenders receives back a portion of the money which some of its members have paid. It often refuses to accept this, in which case the money goes to the actual payers. *Cantons* friendly with that of the adulterer may likewise refuse to accept, and their money too is returned.

646 692 683 *Wounding.* When one man wounds another, the tribal council comes to the offender's house and exacts a fine of five hundred dollars after questioning the councillor or councillors belonging to the offending *bone*. The fine is always paid by the *bone* as a whole, whether the blood money is or not.

646 692 684 621 *Murder.* When one man murders another, whether or not in retaliation for a previous murder, the tribal council comes to his house, which it burns, providing it dares to. It cuts down the fruit trees and inflicts a fine of a thousand dollars. If the man and his *bone* refuse to pay the fine and resist the burning of the house or the cutting of the trees, the members of the tribal council attack them. This fight may last anywhere from a half hour to several months, and may turn into a war. If the *bone* which has refused has no allies, it seldom wins,

A gathering at Suk et Tnine, Beni Amart

Suk es Sebt of Targuist

Talking things over. Suk el Khemis, Ikaroen. Gasnaya

The house of the Council of the Great, Suk el Khemis, Ikaroen

623

1: Coon E-5 ~ (1926-1927) 1931

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3: Hart E-5 (1953-1954)1954 MX3 Rif MX3

announced upon his arrival home that he had shot the man and returned undetected. The *amghār* soon learned the truth, and locked up his *akhammās* for three days without food or water. He then sent him packing, after cutting off his ears.

Under circumstances like these, in which even women did not dare go to work alone in the fields and in which men always had to carry their rifles to the mosque or to the market, it might seem, carrying Montagne's argument one step further, that no groupings larger than the *thārfiqth* could exist at all. They do exist, however, thanks to the mechanism of the *liff* alliance system, and the next one up the scale is the *jamā'ath* or *dshār*, the «village», a collection of both related and unrelated *thārfiqīn*. I use the word «village» advisedly, nevertheless; its geographical limits, known perfectly by the tribesmen themselves, are difficult for the outsider to discern owing to the linear nature of the terrain and the scattered house distribution. Its site may be determined by the excessive growth of one *thārfiqth*, by the proximity of a spring, by discords and internal struggles, or by any number of other causes. Its two principal requirements are a communal village mosque (there is often more than one mosque to a village) and a local assembly consisting of the headmen *(izdīfen*, sing. *azdīf)* of its component *thārfiqīn*. This assembly is still in large measure the governing body of the village, and it administrates village affairs largely according customary law *('urf)*; under its jurisdiction fall matters relating to individual and family order, theft of small articles such as eggs and poultry and olives and grapes, vigilance of orchards, reparation of irrigation ditches, and the like. It meets once a week in the courtyard of one of the village mosques, or under a wild olive tree, to hear and try cases of local importance. It elects the *faqīh* of the mosque, who gives Qur'anic instruction to the boys of the village, and the *shaikh arfiijāḥath* or *aquwwām* to direct work in the fields and to oversee the *tawīzas* or corvees working on irrigation projects (12). Today it also elects a moderator to direct and keep order during its meetings; he is usually the village *jārī* or headman. The mosque, school and cemetery are all communal property of the *jamā-*

(12) Paniagua y Santos, José María: «Notas sobre el derecho consuetudinario de la propiedad en el Rif». **Archivos del Instituto de Estudios Africanos**, núm. 4, primer semestre, Madrid, Junio 1948, pp. 1-44. My references on p. 14 and pp. 20-21.

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631 623 *'ath*, as, in the mountains, is the olive press; the *jamā'ath* also retains an indefinable hold over saints' tombs *(amrābidh*, pl. *imrābdhen)* if there are any in the vicinity. Each village also has its communal pasture lands *(ḥarīm)* and its scrub forests *(ghāba)*; these may neither be sold nor divided up, and are maintained *pro indiviso* for the sole use of the inhabitants of the village in question. These lands, generally, surround the village, and form a vague line of demarcation between it and the next village; their situation and extension are such that a woman, for instance, can go out after sunrise to cut *ghāba* and return home before sunset (13).

631 The next unit up the scale is the minor political division called *farīqath*, which the Spanish administration refers to as «subfraction» This unit usually takes the form of a canton, a single hill-valley- or watershed-unit, comprising some four or five villages. The administration has brought this grouping into sharper relief by putting a *muqaddam* at its head; but this is for administrative purposes only and is not, except in a few cases, a true reflection of the tribal social structure. In the minds of the tribepeople the *farīqath* is ultimately [614] a descent grouping the members of which are related by blood, although the genealogical steps leading back to the common ancestor (if there was a common ancestor) are no longer traceable. We can find elements of one *farīqath* in the territory of another, and in only about half of these divisions, principally those in the southern mountains, the most homogeneous part of the tribal territory, do we see that the tribal and administrative concepts of the *farīqath* coincide. The importance of this group is political rather than social, because there are always some *thārfiqīn* within the cantonal territory which are not related to the others by blood. In general, ties which hold the members of a canton together are largely those of common interests: on Fridays they all go to the principal cantonal mosque *(thamzīda n khuṭbath)* to pray and to listen to the sermon preached by the *faqīh*. Blood relationship between the members of a canton, however tenuous it may be, neverthless helps to keep peace, and cantonal wars have usually been heaviest in those cantons which show a greater mixture of various elements.

(13) Martos de Castro, José: «Lo bereber en Marruecos y sus relaciones con lo ibero». in Alta Comisaría de España en Marruecos: **Labor de España en Africa**, Barcelona 1946, pp. 309-333. My references from pp. 328-333.

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of land under cultivation which he possesses; it also assures the collection of the market tax, a small tariff paid by each man to the market *amīn* on the animals and produce which he brings into the market to sell. The money is destined for «fractional» use entirely: upkeep of the market, digging a new well, or for any purpose which pertains to or is of interest to the «fraction» in general. The *shaikh* of the «fraction» is responsible to the *qā'id* for the assessment and collection of this money, while the *qā'id* himself takes direct charge of matters which involve the caidato as a whole. In another building in the market place, the *qāḍī*, also assisted by a *khalīfa*, administers the Sharī'ā, which at the present time has largely supplanted the old Riffian *'urf* or customary law.

This form of government, based entirely on the Arab system, has completely superseded the old regime of the *Akh Arba'īn*, of the *imghāren* (sing. *amghār*), the family and village headmen who, in each «fifth», used to make up its governing body in the days before 'Abd al-Karīm. The powers of the *imghāren*, who also used to meet in the market, were much more extensive than those of the modern «fractional» junta, and included assessment and collection of fines for theft of livestock, for talking to women in the market, for suspected but unproven adultery, and the collection of blood money (*dīyath*). These duties and the unwritten customary law which governed them have all been substantially assimilated by the legal jurisdiction of the Makhzin and by the Sharī'a.

Although in the old days there was no higher body politic than the *imghāren* of the «fifth», those of all five «fifths» used to meet together at a place called *aghrau* (p. *ighrāwen*), the location of of which had previously been announced in the market by the *barrāḥ* or market crier, in case a crisis arose which assumed tribal proportions. In case of adultery caught *in flagrante delicto*, the injured husband had, and still has, the traditional privilege of killing his wife and her lover with exemption from payment of blood money. In case of murder committed on profane ground, the murderer had to pay a fine (*ḥaqq*) of 5.000 pesetas to the *imghāren*, and blood money amounting to 6.000 pesetas to his victim's family, provided the latter chose to accept it. If they did not, as was usually the case, a feud was in full swing inmediately, and the council members, lea-

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ving well enough alone, did not bother to interfere until after it was over, when the number of dead on each side was totaled up and excess blood money was paid to the party with the greater casualties. The *ḥaqq* was paid to the *imghāren* as well for the necessity of calling them together; but if one of the «fifths» failed to send its delegates to the *aghrau*, it received no money at all. A *sharīf* or *qāḍī* was always present at the peace negotiations to act as moderator, and he and the *imghāren* ate at the expense of and slept in the houses of the *thārfiqth* heads in the vicinity of the meeting site.

However, if a murder was committed on a Muslim feast day or in a market, or at a time when peace prevailed, the *imghāren* rushed in a body to the murderer's house to call him to account for his action. In case of murder on the road to or in the market itself, the *ḥaqq* was doubled to 10.000 pesetas, owing to the market's sacred character as a place of peaceful trade to which came not only Wuryāghlīs, but people from other tribes as well. If the murderer was unable or unwilling to pay this, which almost always meant that he had to sell all his property, the *imghāren* proceeded to burn down his house. (This was the case in the Bay of Alhucemas; among the mountain Wuryāghlīs and in northern Giznāya, a murderer had to suffer both *ḥaqq* and houseburning, the latter as a symbolic act of vengeance meted out to him by the whole tribe in the person of its body politic, for disturbing tribal peace as a whole and for committing his crime in an area which belonged to the tribe collectively.) If the murderer and his family still resisted, they had a war with the assembled *imghāren* on their hands as well as with the dead man's kin. If the *imghāren* and their cohorts won, as they usually did, they burned down the houses of the other members of the murderer's *thārfiqth* in addition, and the latter had to flee to another «fifth», another tribe, or out of the Rif entirely for a period of at least two years, when, if they made peace overtures in the proper manner, they might be permitted to come back. But the Riffians are a proud people; if they returned at all, it was most often with revenge in mind Needless to say, there are numerous little colonies of Riffian exiles all over Morocco; many Wuryāghlīs and their descendants are to be found both in Tangier and in Fez. It may thus be seen that it was

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to the interest of the murderer and his family to come to terms quickly, for if they tried to go against the council, their days were numbered.

The *imghāren* were the real power in the land, and although the Sultan used to nominate *quyād* (pl. of *qā'id*), these were usually nothing but *imghāren* whose local prestige was slightly greater than that of their fellows. In Aith Wuryāghil, the *Bilād as-Saiba* par excellence, a *qā'id* could not govern in the same manner as he did an Arab tribe; if he tried to institute reforms without having the force to back them up, he was likely to be quietly done away with. It was the assembled *imghāren* of all the «fifths» who dictated policy if the tribe was threatened from outside. They declared war, treated for peace, and contracted alliances with other tribes, and they did so jointly. The Riffians are democratic almost to the point of anarchy, and if any man was considered better than his neighbor, it was only because he had more brothers or cousins to help him out in case a fight started. The excellent description given by Coon of what is apt to happen at the meeting of an *aghrau* affords us a wonderful insight into the Wuryāghlī character.

> «... The locality depends on mutual convenience. Each fifth occupies a section of the circle. A moderator talks to the members until a common attitude in regard to the subject of the meeting is agreed upon. The moderator now having received the instructions of his constituency, he approaches the center of the circle, and the councillors left on the outer ring finger their rifles and express their readiness to defend their spokesman if he gets into a violent argument. They discuss the matter at hand all talking at once or whenever they please, since there is no chief moderator, and for one member to bid another to be quiet would be ample excuse for murder. Moderators of a fifth usually agree within themselves and the argument soon develops into a consideration of how many fifths favor one opinion and how many the other. The moderator of one fifth may lead the moderator of another aside and whisper to him outside the ring, trying to bribe him to come over to his way of thinking. If the second moderator succumbs to this, he returns to the central ring and tries to change the attitude of the other representatives of his fifth. The parley goes on until a unanimous decision is reached or until the councillors begin fighting among themselves

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and the meeting breaks up in a battle. In this case the opponents form martial alliances, and the fight continues until one side has been defeated and made to pay indemnity to the other. Even when the council ends peacefully it takes at least a week before they reach an agreement» (14).

To his may be appended a short but very apt summation of the situation by Col. Blanco: «En el Rif, donde todos son personajes, sólo una política de masas y no de individuos puede ser fructífera» (15).

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In the Rīf, up to the advent of ʿAbd al-Karīm, the state of war was so permanent that it can truthfully be said that if is customary for Europeans or Americans to declare war, it was also customary for the Riffians to declare peace. We must remember that the *thārfiqth* was the unit of vengeance, and that feuds between *thārfīqīn* even within the same village were a commonplace. House-to-house fighting was the order of they day. If a feud kept going long enough, the result was that the other *thārfīqīn* in the same and in nearby villages eventually began to group themselves around either one of the two feuding parties, usually with the one which was closer kin to themselves. Thus we have the beginnings of a moiety organization, equivalent to the *ṣof* of the Kabyles of Algeria. If the members of one moiety gradually found themselves on the losing side, their representatives used to lead a bull to the mosque of a neutral village or *thārfīqth* the aid of which they desired, and the *faqīh* slaughtered it on the sill so that its blood spurted over the threshold. The fact that a bull was sacrificed whenever possible is significant in itself, as the Wuryāghlīs [262] are very poor and largely vegetarians by force of circumstances; a bull is the most expensive edible animal they can buy. The act of sacrifice worked as a powerful shame compulsion *(ʿār)*, and forced the members of the second group into alliance with the first, whether they were willing or not. This type of alliance was called *liff*, as mentioned above, and as the feud grew in size, so did the *liff*. If the feud remained localized, alliances were usually made anew after it was over; but if it spread enough to involve whole «fifths», the traditional *liff* alignment of the two opposing moieties of Aith Yūsuf and Aith ʿAlī came into play again. The clever manipulation of this

(14) Coon, 1931, p. 97.
(15) Blanco Izaga, 1939, p. 67.

5: Blanco Izaga MX3 Rif MX3

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[For information on the community or village aspects of the jma'th, a collection of both related tharfiqins, see also Categories 621 and 613.]

596 613 114 in her role in the family the wife does not count nor is her name perpetuated, there is no doubt that the blood-tie is different, as among our "brothers" and "half-brothers", and I therefore believe this interpretation to be correct.[55]

In any event, the jajgu is an important social grouping, as much in questions of succession, inheritance and collective responsibility as in the division of benefits, fines and communal property. These questions are simple enough for a Rifian in his own mind; and he thinks the question of what jajgu or jma'ath he belongs to such a simple one that he is astonished if the investigator asks him why. To this he does not readily give an explanation; furthermore, even if he (himself) wants to learn, he sees no benefit in teaching (others). He understands his own affairs up to the precise limit which is necessary for him in order to safeguard his own rights and interests. Beyond this point, he is not interested.[56]

596 613 If the jajgu head is incapable of representing his group properly, there is always someone whose courage or polemical attitude may result in his being the spokesman. The headman of the jajgu is [623] called aziddif or aziddjif (pl. iziddifen or iziddjifen,[57] literally "head"), and, with other such headmen, the jma'ath or council[58] of the elementary social unit is formed. These iziddjifen are thus the authentic representatives of the blood or kin groups which in Rifian are called dharfiqth (pl. dharfiqin), or "family group" (i.e. lineage).

613 5) Dharfiqth (pl. dharfiqin):---...When a Rifian says, "I am of the dharfiqth of so-and-so"[59], he means that so-and-so, in his own memory, is (usually) his most remote genealogical ascendant (on a step-by-step

613 basis). The dharfiqth is the fundamental unit in Rifian social organization, and it is erroneous to circumscribe it by defining it in terms of volume: so and so many houses, hearths or rifles.[60] The 613 dharfiqth, a kin group, is independent of the jma'ath, which is the 623 association of dharfiqin or parts of them, and thus the elemental unit of the social (read "political") organization, the most distinctive feature of which, in my opinion, is lack of kinship, a point soon to be proven when we speak of the organization of the grouping called jma'ath.[61]

613 114 According to Robert Montagne in his Les Berberes et le Makhzen dans le Sud du Maroc, Paris 1930, p. 239, the Rifian dharfiqth is equivalent to the family (i.e. lineage) group called either ighs or ikhs, or "bone", in the Atlas. It contains a dozen houses, thirty or forty "hearths" (i.e. nubath), and is a group strong enough to defend itself. Its leaders call themselves amghar (pl. imgharen). Montagne says the word is derived etymologically from Arabic rafaqa, "a group or company of people", or that it may be a deformation of Arabic farqa (or fariqa), "division".[62] He thinks it possible to attribute the name "clan" to the unit which the Aith Waryaghar (and other Rifians) call dharfiqth because it is a larger and more durable family group than the ikhs of the Western High Atlas, while at the same time a kind of political unit, for it insures the fact that the blood tie exists between "hearths" of the same Rifian jma'ath.

My own opinion is that Montagne is in error here. Within the [623] dharfiqth, to be sure, there are indeed blood ties, but within the Rifian jma'ath there is no known kinship between its dharfiqin, for

613 a single dharfiqth may contribute to the formation of several jma'th-s,
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623 even in different tribes. And thus the jma'th of Aith Waryaghar is an agglomeration of dharfiqin without known relationship to each other.[63]

623 The iziddjifen have well-defined functions within the above
613 groups (e.g. jajgu and dharfiqth), such as the distribution of work,
[596] payment and benefits (barley to the fqih, rations to the poor, reception of guests, fines, irrigation turns, participation in communal property, etc.), and formation of the opinion which their delegate to the outside world has to express, as well as support for him in the viewpoints he is to maintain. The iziddjifen, as representative of the dharfiqin, are the primordial element in the "play" of the jma'th.

D) Position of Women:

562 A Kabyle can do what he likes with his wife except make her
182 a corpse, while a Rifian considers her as precious coin in the can-
171 cellation of blood debts, and a Berber from the Atlas Mountains regards her as a precious offering in his request for an alliance[64], when the insecurity of the social grouping made it mandatory to look for friends to reinforce it.

562 The sad (Blanco's term) condition of women is most clearly
627 revealed in reprisal and in the norms which regulate it, such as
628 their devaluation, pre-Islamic in character (sic), revealed through the exemption from the act of vengeance of a husband who kills his wife;...North Africa is an area where women can be killed, and the blood-price (Arabic diya, Rifian ddiyith) is half that for a man.....

684 As to adultery, in Kabylia and the Rif, the offending woman is killed,
171 while the Braber of the Middle Atlas and the Bedouins of Mauritania take care of the matter with a fine.

I recall hearing of young Rifian women "martyrized", roasted over a fire, whipped, enchained, hung from the main beams of their
562 houses, or with a pick stuck in their heads[65]. Women do not inherit
428 in Kabylia, nor even in the Rif, in practice; if they do, it is in
171 lesser proportion, and only in movable property. Among the Aith Ndhir of the Middle Atlas, on the other hand, a woman and her daughters can be inherited, and even Muslim law has not done much (1935) to modify this fact in that tribe.

562 Women are divorced whenever their husbands want to divorce
586 them, and they are even put in the position of being neither single
582 nor married, i.e. a general or conditional prohibition of marriage.
[171] A woman's husband must give her authorization to marry again, even though he is separated from her; this happens often in Kabylia and
562 is not rare in the Rif. Custom gives women the right of <u>insurrection</u>
586 (Blanco's italics) or refuge in their fathers' homes or in a <u>zawiya</u>
708 (residence of a virtuous or holy personage, and invariably associated
623 with a saint's tomb); and it gives their husbands the right to complain
[171] to the <u>jma'th</u>, a right which women cannot exercise themselves in Kabylia and which they can in the Rif and among the Berbers of the Middle and Central Atlases, although, however, they must make such complaints at a respectful distance from the council meeting or rather
627 through crying them out. This is always preferable to registration
171 of complaints through a Kabyle intermediary or a Muslin <u>ukil</u> (legal
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representative), while among the Shluh Berbers of the Western Atlas and among the Rgaybat Bedouins of the Western Sahara, women can be their own ukilat (fem. pl. of ukil), although they cannot represent other women, as I once saw in Ibuqquyen (West-Central Rif)[66]...Rifian women may visit their families whenever they want to, and, in general, if Berber women are not given the same treatment and value as men are, they do, nonetheless, have certain advantages which derive from their status as minors.....In the Rif, women's markets are an example of this: they are meeting places completely free from men, where transactions take place, where brides are looked for, where amulets are bought and where news of the day is heard and spread. But a woman in the Rif, if she passes a man on a path, must always give him the right of way: she greets him first, lets him have the right of way, and continues on the lower part of the path....Rifian women love their children.

E) Property (fragmentary notes):

In the buying and selling of individual property, the jma'th (used here in the sense of council) did not intervene; the only parties concerned were the buyer, the seller, two 'udul (notaries public) and the qadi, the latter three individuals having to draw up and sign the necessary document. Even in the case of jma'th property[67], the jma'th did not intervene; once again, the 'udul drew up the documents in question....In the event of renting land, in which a document is not needed, the petition is handed to the village mqaddim (headman) who convokes the jma'th and agrees to the conditions. The same applies in case of mortgages....In case the petitioner does not fulfill his

623 immaterial; for a jma'th which formerly contained only two dharfiqin
613 may now have three, four or five, and tomorrow even more, with a
621 proportionate increase in houses and rifles. What the jma'th is not, however, is a family group united by blood ties--it is not a dharfiqth.

623 .....The jma'th came into being because of the necessity of common
182 usufruct of elements essential to sustain life, such as water, pasture
621 lands, brushwood, etc., and because of the necessity of regulating relations, both material and spiritual, with one's neighbors (hence mosques, which come into being after such an association has been effected). The result was that when a group for any reason abandoned its original jma'th in order to establish itself elsewhere--insofar as its growth and development made it do so, it cut off relationships with its parent group and its point of origin to constitute a new and independent nucleus[71].

621 Many Rifians confuse dharfiqth with jma'th, and proof of this
623 is that when one asks the members of a given group where they are
613 from, it is the same to them to answer "From such and such a jma'th"
[829] or "From such and such a dharfiqth", because the dharfiqth in question forms part of the jma'th whence they originated. Jma'th has a geographical connotation, while dharfiqth smells of nomadism (sic)[72]. This also explains why in different places one may find jma'th-s having the same name but formed by different dharfiqin, because over the course of time other splinter-groups from other jma'th-s became associated with the initial splinter-group from the first jma'th.....

621 I am dubious about the value of the number of households as a cri-
623 terion in definition; but I think that the best single datum available
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today for finding out the volume of a social group is the list of nubath or turns to provide food for the fqih. It is more constant than an enumeration of houses or guns[73] or persons, which is more subject to variation. But it must also be remembered that there are two kinds of turns: those based on hearths, and those based on plows and animals to pull them. In some areas, one type is used, and in others, the other.....The notion, however, of the Friday mosque as a defining and anchoring characteristic of the jma'th is not bad, and as such, it may be compared to the Spanish parish (parroqu'a)--but only in the sense of members of different dharfiqin coming to prayer. This applies even if the mosque in question serves only as an individual place of prayer for a well-to-do family, and not as a common temple.[74]

The etymological definition of jma'th, "meeting, reunion, convocation" is in itself insufficient also, as it is too general.

2) Function of the Jma'th (understood again as council): Economic. It regulates services in common, i.e. use of water, pasture land, ghabth (brushwood) and communal lands, and, by extension, social relations (hospitality, benefits) and spiritual relations (funeral services). Custom which is privately initiated in the kin group now becomes public by acting as a yardstick in such relationships, and it is in the qanuns[75] of the jma'ths where the first rudiments of Rifian customary law appear. This law is both more elevated and more humane than that of the dharfiqth, which is purely one of reprisal.

In most jma'ths, industry and specialization is represented only by a master blacksmith, aside from women who make pottery by hand; on the other hand, in the "fraction" (clan or subclan) these necessities are complemented.

on the other hand, in the "fraction" (clan or subclan) these necessities are complemented.

621 The patrimony of the jma'th is made up exclusively of communal
623 lands. The jma'th is thus formed not only by people but by lands.
423 It thus has a territorial significance which the dharfiqth lacks, for it may have immovable property in another tribe[76], and acts committed by its members outside the "municipal terminus" are thus not handled by it exclusively. For this reason there is a need for another
614 social organ structured in an analogous manner, but of greater im-
621 portance and more extensive jurisdiction: the "fraction" (i.e. clan or
623 subclan.) This wider grouping, although it also has a localistic significance and a breadth wider than the village or hamlet of isolated homesteads or groups of homesteads that we have seen in the jma'th, has other more sharply defined characteristics. It alone intervenes in inter-jma'th matters, in most cases; for the custom of the jma'th itself is nothing more than inter-family (i.e. inter-lineage) custom.

3) The "fraction" (clan) is an association of neighboring jma'th-s for sociopolitical ends; it is a state in miniature, an independent republic, and the true Rifian patria because it is within the limits of this unit that the Rifian lives out his life; where he finds what he needs, and where his law is made[77].

614 The clan has two distinctive features: its law and its market.
443 It is my opinion that places in tribal areas which the natives regard
[671] as ancient Christian[78] market sites are nothing but former "clan" markets which are no longer in use and the memory of which has not persisted through time. In the tribes of Aith Waryaghar, Axt Tuzin,

In the tribes of Aith Waryaghar, Axt Tuzin, Thimsaman, Aith 'Ammarth, Ibuqquyen, Ktama and Sanhaja Srir, each clan has its own market[79]. Only in a small tribe or in one with more or less artificial clans is this not the case. The clan, which occupies a well determined area topographically, as a rule (a large meseta, valley, mountain fold, etc.), is a rare one which does not have or did not formerly have its own market, where the clan representatives or imqqranen came together to agree upon and proclaim their law, their rules of coexistence, which in some cases were drawn up on paper and which form the basis of my La Ley Rifeña, 2a Parte.

The clans of a tribe did not originate through accumulation of the association of jma'ths, but rather, the tribes which came to settle in the territory already contained three, four or five clans in their nomadic (sic) state, and the new lands were distributed equitably.[80] However, it is easier to follow the schematic representation of social groups from smaller to larger units, as the lineages characteristic of these are clearer and better defined. In the tribe, they are quite relaxed, and it is more difficult to see them, because the clans themselves are apt to show this by their patronymic designations, "sons of X"; but this opinion is provisional, as there are also names which are not genealogically based, as in the case of the clan names of Ibuqquyen (Izimmuren, Azghar and Thaghidhith) and in Ija'unen of Aith 'Ammarth; and the same might well be the case with the jma'ths, whose names are often geographical ones.[81]

In the clan, we have all the institutions, organisms, dependencies and economic specializations most necessary to sustain life: an amrabit or hermit saint venerated and besought for pilgrimages and miracles; a market for the provisions and supply and for the council

site of the clan assemblies or igrawen (sing. agrau); master masons and carpenters; a loom; grain mills and olive presses. The clan has memories of men and places which tradition perpetuates and puts, because of their symbolic virtues, above the daily fratricidal struggles, taking them beyond the poisoned and corrupted ambit of the village and the vicious atmosphere of the jma'th in order to breathe purer air (as it were), that of the multitudes, of sociability, and of humanity. For this purpose it is allotted a special day and a special place (i.e. market day and the market) in which a truce is established, and in which the human voice acquires its noble sound and drowns out the dry crack of the rifle shot. Interestingly enough, Friday is not the day which Islam sanctifies as the day of rest[82]; the market day is in fact the day when the Rifian rests and finds peace among his fellow believers.

The clan is not a rudimentary institution merely involving social coexistence, like the jma'th. The clan gains in spirituality what it gains from an economic standpoint in territorial amplitude through the wider association of groups of interest. The clan resolves graver and more transcendent matters than the jma'th does.

The clan independence (read "autonomy") is determined by the promulgation of the executive force of proper clan law within an elastic (author's italics) geographical perimeter, and by the possibility of the clan subsisting on its own resources, this independence, this liberty, has a limit, an area of movement, a radius which is fixed, as in all these associations studied here, by the higher power of the tribe and by that of the liffs or alliance systems, as the

614 latter are an incommensurable force in which both the individual and/or
[619] the group(s) to which he belongs may take refuge...Thus, if the clan
[616] has a geographic character[83], its primary distinguishing features are its customary law, its qanuns and its market (as in the qanun of the Wednesday Market of Sidi Bu 'Afif, which marks the jurisdiction of this market and the men who admit the same and arrange their lives in accordance with it--see La Ley Rifeña, 2a Parte, pp. 59-68).

619 4) Tribe or Dhaqbitsh: The tribe is the highest-level form of
614 clan association (i.e. a tribe is made up by a given number of clans or maximal segments). The function of a tribe, also, has on this
619 level been transformed into that of maintaining interclan equilibrium
614 (i.e. the theory of segmental balance and opposition), which is
671 guided by the same norms as within each clan, and if it actually has
182 no overall customary law common to it as a single unit[84], it nonetheless forces...any of its delinquent members to rectify any errors, faults or mistakes he may make, but always in accordance with the law
619 of his clan. Thus we may observe that, within the tribes, their clans
614 form two balanced and equilibrated lfuf (pl. of liff), or liffs, as
616 the tribes, on their own level, do in turn[85], and as even the dharfiqin
[613] of a given jma'th do, two, three or four rungs down the ladder. It
[621] would seem to be these liffs which have always served to watch over
[623] and maintain the continued existence of the "fractions" and tribes, while at the same time having been responsible for a fierce opposition to penetration of the area on the part of the Makhzin (both Moroccan and Spanish)...If the jma'th is the secondary school of Rifian democracy, the "fraction" is its high school and its tribe the university.

623 5) Councils and Tribesmen of Authority: All units under consideration up to now (the three "family" ones and the three "social" ones) have their relationships regulated by councils, which, although bearing different names, have similar and analogous functions. The council of the jma'th must undergo no formality in order to convene, and it has no president, although at times the agreements which it comes to are drawn up in writing. Any male (above the age of puberty) [885] [613] may attend and take part in its deliberations; but the personification of it is embodied in the iziddjifen or headmen of each dharfiqth, and these men together form an authentic and permanent council. This council above all legislates what the jma'th deems necessary, in conformance with custom and its agreements. The assembly itself or its representatives chosen for each particular case[86] make and execute all decisions. It is thus a legislative, consultative and executive body[87]. Its attributes, nonetheless, are constantly limited on the [614] one hand by family law, in the form of reprisals, and on the other by the power of the clan, which tries to keep it from prejudicing neighboring jma'th-s or the clan itself in its external politics. Thus, what it has is an administrative autonomy.

623 This council(s) elects its functionaries, the best defined of 793 which is the fqih of the mosque, who is in charge of leading the 212 prayer and of burial services; he is administrator of mosque property (habus)[88], as well as jural notary and council clerk and secretary. In large councils, however, these jobs may be handled by more or less ignorant tulba (sing. talib)[89], who pompously attribute to themselves 600 the qualifications of qadis. The fqih attended to the resources of the

623 793 411 The fqih attended to the resources of the mosque and the necessities of the cult; and the others usually bought arms and ammunition which were lent out in necessary cases.[90] A man thus favored rarely returned his weapon, as the habus was considered to be a "rich widow".[91]

623 624 312 242 The council of the jma'th also maintained agricultural supervisors, usually two who retained this office in perpetuity, even though masters in the art could be called up in necessary instances, such as litigations over other matters.[92]

623 613 The zealous equality and jealousy of the dharfiqin making up the jma'th were generally responsible for the fact that the latter did not have an individual official representative who presided at meetings or imposed the executive of its decisions; but, at times, when one dharfiqth succeeded in acquiring, through cunning, bravery or money, some degree of preponderance, it generally came to an agreement with the others, and they all designated a representative. After this, [557] the struggle began between the representative himself, inching his way toward personal power[93], and the jma'th, which was jealous of his 623 578 attributes and reputation. There were also religious struggles in these minuscule nuclear social units, between, for example, an amrabidh 776 792 desirous of politico-religious influence and the jma'th, or "power of the laymen", which, through cunning, always knew how to keep him away from the benefits of power, and also excluded him from responsibilities.

623 The representatives took the title which pleased them most, usually shaikh, but they were also known as iziddjifen (sing. aziddjif, literally "head"), or "headmen", and as imqqranen (sing. amqqran, literally "big"), or "big ones". Thus the same anarchy and confusion which we

623 find in the institutions themselves is also found in their names and in those of their representatives.....Very seldom, however, could a single representative impose his own will, and the will was collectively that of the representatives of the dharfiqin. Each representative had a compact group of men behind him to back him up in his decisions, and for this reason the Rifian governmental system was in reality an oligarchic one.[94] Hence the importance of the iziddjifen, which has not diminished even in Spanish times (1935), as the present-day mqaddim, or village headman, is a decorative figure and a confidant of the tribal qa'id, if not a plaything of the iziddjifen, or indeed their servant. It is not rare for interventors (Spanish tribal administrators) to see, on their arrival at a jma'th a representation of this fact, with the men in file and the mqaddim at their head. So far, so good; but this external apparatus is nothing but a masquerade. There is no more than an absurd[95] functionary, the mqaddim, to whom no one pays attention save for a half dozen friends, relatives and the poor, who have only collected together under threats; but it is far more difficult to find the iziddjifen, who continue to meet in their habitual place or do their best to hide in their houses only to reappear after the representatives of the Makhzin (i.e. the interventor and his mkhaznis) have left, in order to smell out the bad news brought by the latter and to look for ways to annul it!

The aziddjif or amghar (pl. imgharen), the fqih, the aquwwan and the amarras, or storehouse guardian, are the proper functionaries or notables in a jma'th, an admirable economic organization[96], the administration of which does not cost its members a single cent, for

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793 the fqih, fed by turn (nubth), receives one-fifth of the yield of the land in habus, the "rich widow"[97], and the others get what falls to them gratuitously. In the amarras or storehouse/silo guardian of
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624 the Eastern Rif[98], we see another functionary of the jma'th, who, through the asuqi (25 kilos for 4 mudd, or measurements of barley)[99], was in charge of the preparation and custody of individual silos in fixed places, called ma'ar, which came to represent, for Rifians, the collective storehouses of agadir-s (whence the place name Ajdir, existing in both the tribes of Aith Waryaghar and Igzinnayen) of the Moroccan South[100].

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[623] The iziddjifen or family heads were the real directing nucleus of the jma'th; and in the clan, the governing body was made up of the imqqranen or "big ones", who habitually met, with legislative and executive functions, in the market. The clan delegates were collectively known as the Aith-(th)arba'in, and the meeting itself, the agrau (pl. igrawn), of the tribe. The Aith(th)arba'in were unappealable. Fqih-s and men of law were mediators, collectors or executors.
646 The Aith(th)arba'in, however, made the laws, interpreted them, and obliged people to obey them, without discussion, backtalk or subterfuge. This was a true form of popular representation, the powers of which, although they did not emanate directly from the people in many cases, or through a European-style elective system, were indirectly derived from, and with the tacit consent of, their constituents..... It is a rare person who can produce a document which accredits him as a popular (author's italics) representative, either circumstantial or permanent, but, nevertheless, no one with a better title or more

careful to state that all those at the convocation were the "majors" and the "minors" (los grandes y pequeños)[102] of such and such a place. The written titles or nominations of functionaries, and the pompous Arabic names of qa'id, qadi and mqaddim, with which some men like to adorn their names in order to astonish simpletons and impress strangers, are only of value inside their own houses (author's italics), just as the titles of doctor and coronel formerly were in certain South American republics! In the Rif, there was, in pre-'Abd al-Krim days, no qa'id and no qadi[103]; only imgharen and igrawn, iziddjifen, dharfiqin and turba, the last-mentioned being warlike amanuenses whose fingers are better suited to hilt or trigger than to pen, while the other names are the most definite external indices of the degree of Islamization[104] of those who possess them. We will not speak here of such fantastic personages as the bu-mwarith[105] or the ukil l-ghuyab[106] and other shadowy figures recently created by the Spanish protectoral administration, who will probably soon disappear if not taken proper care of!

6) Resume of Rifian Tribal Functionaries (given even though Rifians tend to confuse them among themselves!):

a) the iziddjifen, "headmen", or representatives of each dharfiqth, constituting the permanent council of the jma'th.

b) the imqqranen, "big ones" (or imgharen, pl. of amghar), the representatives elected by the jma'th (author's italics) for its own prestige, and the delegates of the latter territorial unit in the clan council, whose habitual meeting site was the market, and whose job it was to make the law.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

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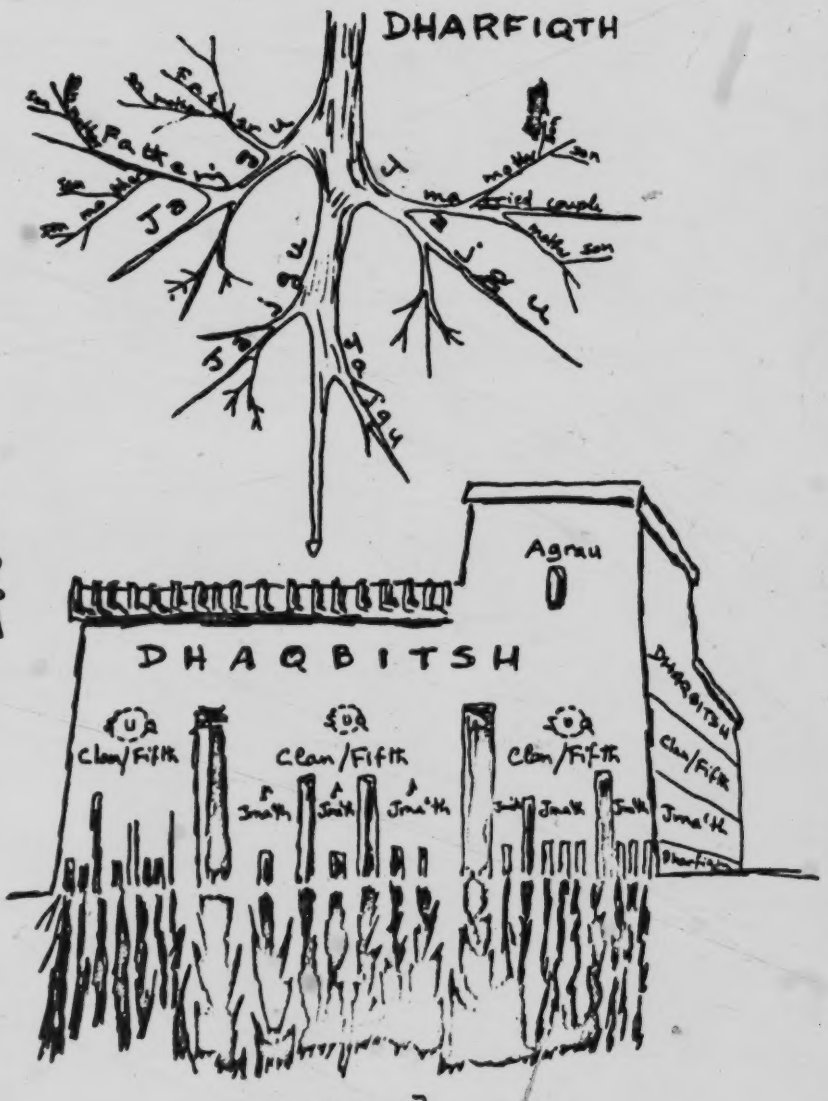

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[P. 127-A]

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

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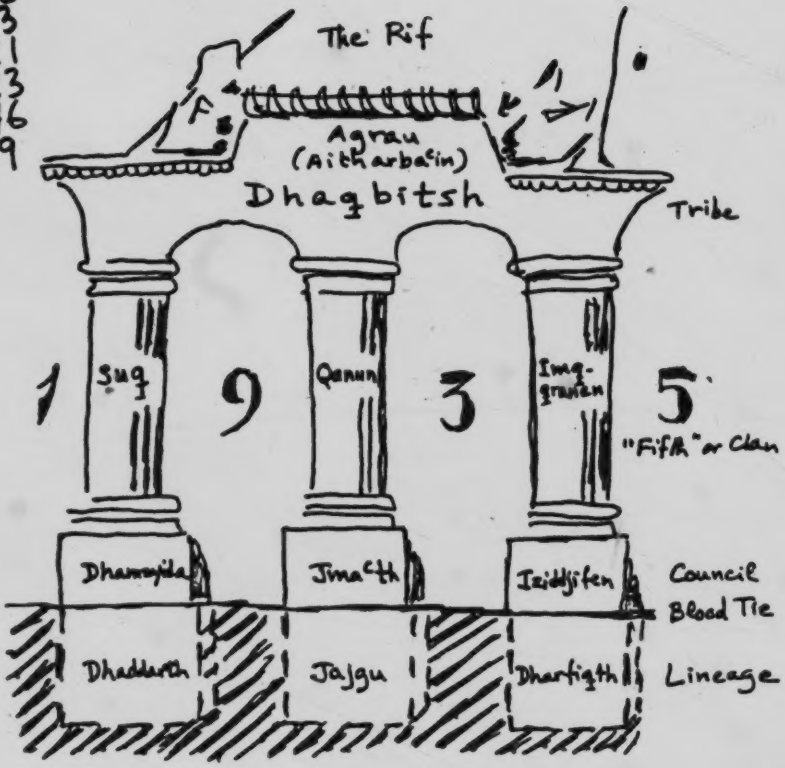

Diagram of Rifian Social Structure

[P. 127-B]

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organization, as in the settlement morphology and house distribution of their communities, we may discern the state of disintegration which the Rifian "republics" had attained, the individual rapaciousness of each one and the anarchy of its component parts.

Diagram of Rifian Social Structure[113]

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We see in this graphic representation of the principal units in Rifian social structure how these units are originated in the lineages (Sp. original, grupos familiares) whose three ascending categories of nuclear family (Sp. or hogar, R. nubth), lineage branch (jajgu) and lineage proper (dharfiqth), with genealogical relationship as their distinguishing characteristic, form the roots or base of the Rifian arch, as diagrammed here. On reaching ground level (in an upward direction), they become transformed into three other (larger) social units whose distinctive features are expressed above and the apex of which is the tribe (dhaqbitsh), which is bound together with its autonomous institutional parts by the institutional apex of the agrau, or tribal council, the maximal assembly in the region. This arch gives us an idea of the (relative) independence (autonomy?) of its columns, representing clans sustained by the nuclei of jma'ths; and all this gives us also an idea of the whole and of the harmony reigning between this whole and its different parts, of its consistency, of its solidity, and of the importance of all these factors.

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FOOTNOTE: A

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113--A few comments must first be made on Blanco's notation of this diagram. Starting below ground level, we have, from left to right, dhaddarth (Blanco's spelling taddartz), "house"; jajgu (Blanco's spelling yasgo), "lineage branch"; and dharfiqth (Blanco's spelling tarfik), "lineage"; and further to the right, the commentary "family group" (grupo familiar). At or just below ground level, slightly above, we see the commentary, to the right and above "family group", "line of blood" (linea de sangre). At ground level, from left to right, we have dhamzyida (Blanco's spelling tamesguida), "mosque"; jma'th (Blanco's spelling yemaa); and iziddjifen (Blanco's spelling islifen), "lineage headmen"; and, further to the right, the commentary "council" (consejo). Further up, each of the three columns proper is labeled, from left to right, suq (Blanco's spelling sok), "market"; qanun (Blanco's spelling kanon), "custom", and imqqranen (Blanco's spelling imkranen), "council members (of the clan)"; and further to the right is the commentary "clan" (fraction). The apex is the dhaqbitsh (Blanco's spelling taqbilt), or "tribe", with a commentary by Blanco to the right: "tribe" (tribu); above this, in brackets, is Aitharba'in "tribal council" (Blanco's spelling ait arbain); above this, agrau (Blanco's spelling agrao), "council meeting site"; and above all, is The Rif (El Rif).

I find this diagram, with its ever upward and onward orientation, very neat as a conceptual plaything...In its theoretical and abstract niceties, it appears almost more the work of a Frenchman than that of a Spaniard. Could this possibly be attributed to Montagne's undeniable influence on Blanco's thinking? However, I seriously question the diagram on the grounds of to what extent it really reflects structural realities (insofar as a structural model of any society created by an anthropologist can be said to approximate the social realities of that society) of Rifian society; and also on the grounds that territorial vs. segmentary features of Rifian social structure, and the roles that these features play within that structure, are neither defined vis-a-vis each other nor in relation to the whole. The whole structure as Blanco gives it is, in fact, too neat, too simple, and too classic (or perhaps Doric?), like the Greek (and most unRifian) arch upon which he models it.

A, [See diagram on p.127-B--Analyst]

623 793 411 421 423 91--The comparison which Blanco makes here of the institution of habus to a rich widow is a challenging one; for after land has been donated to a mosque as habus, the question of who works it is resolved by the nadhir l-ahbas, or habus property administrator, of which there is one, at present, in each province of Morocco (with a central Ministry of Habus in Rabat). He goes to the tribal markets periodically and, through the market crier, auctions it off to the highest bidder, who in turn receives all the harvest for his own use. This system is in vogue at present and was also current during Spanish times. During the "Ripublik", however, in the days before there was a nadhir l-ahbas, the members of the jma'th concerned worked habus land, and, after selling the harvest, used the profits to buy mats for the mosque. Sometimes, also, the jma'th would designate a poor man to work habus land for a fixed share of the field (usually one-fifth or one-fourth), though this was not as common as the preceding arrangement.

000 [114] 92--Blanco is mistaken here, as there was, and still is, only one agricultural-irrigational expert, the aquwwam, whose judgment is generally sought in disputes over irrigation water.

[114] 93--Again in this instance one can detect the influence on Blanco of Robert Montagne, who devotes the whole last third of his book (Montagne, op. cit., 1930) to the "rise to personal power" of the three Grand Qa'ids (the Glawi, the Mtuggi and the Guntafi) in the Western Atlas, and cites the rise of 'Abd al-Krim in the Rif as a parallel case. Under the French, the Glawi soon eclipsed his two competitors to become a single "Lord of the Western Atlas", as well as Pasha of Marrakesh; while it was the presence of the Spaniards in the Eastern Rif which produced the Rifian "national" leader, 'Abd al-Krim. Montagne's argument for a kind of unidirectional political evolution, from the nameless members of a village council, in the middle and latter half of the 19th century, through to nationally known tribal or regional leaders' through a continuous scramble-for-power process of "top-dog-ism", is a very persuasive one. Whatever objections one may have to it, it is likely to remain the argument for a long time to come--because today, in the 1960's, the facts of the matter have become almost impossible to (re-)check; and the old men who remember such things are now all dead or dying off.

[613] 94--"Government by the few": possibly, if the lineage or clan headman can be so designated. However, each lineage head was in reality little more than a primus inter pares, and anyone who attained clan-wide recognition was just that much more primus. Once again we are faced with how badly the European shoe fits the Berber foot.

95--The Spanish original is absurdo.

96--The jma'th is not just an economic organism or organization, but a group of people, the majority of whom are genealogically related to each other, living together in a hamlet or village which bears its own name and forms a member group in a segmentally organized system of such jma'th-s, all of which belong to a territorial or segmental unit of a higher order. Relationships between member jma'th-s of the same order of segmentation are at once economic, social, political, legal, and religious.

623 116--This market was located in the exact center of the tribal territory of the Aith Waryaghar, at the point of convergence of all three qa'idates (1-Uta, Upper Ghis and Nkur) alluded to above, and all questions of import to the whole tribe were usually settled or decided there. Imgharen from all of Aith Waryaghar came to this market when the full tribal council was convoked.

[646] The Sunday Market at Thisar has ceased to exist since the [648] Spanish pacification of the Rif; the Spaniards moved it slightly north to Thamasind, a market, also held on Sundays, which is attended only by members of the immediate subsegments in the vicinity, and which is much smaller, in size and status, than its predecessor.

443 117--For more detailed descriptions of women's markets, see Andrés 562 Sánchez Pérez, "Zocos de Mujeres en Beni Uriaguel", Africa, Madrid, [113] May 1943, pp. 22-23, as well as two works of our own, D. M. Hart, "An Ethnographic Survey of the Rifian Tribe of Aith Waryaghar", Tamuda, vol. 2, no. 1, 1954, pp. 51-86, and "Emilio Blanco Izaga and the Berbers of the Central Rif", Tamuda, vol. 6, no. 2, 1958, pp. 171-237. (Specific references in the two latter cases are from pp. 80-1 and pp. 201-3 respectively).

Some recapitulation, however, is necessary for the purposes [171] of the present work. Special women's markets, which men are forbidden to attend, are not uniquely Rifian, for they are also reported for the tribe of Ihahan on the Sus coast between Mogador and Agadir. 443 Montagne (op. cit., 1930, pp. 251-2) thinks that because in both the 562 Sus and in the Rif they are more or less confined to the coastal area, 114 they may, through their rigid segregation of the sexes, reflect a greater degree of Islamization in these areas, for they are not to be found anywhere in the Atlas. Sánchez Pérez, who also cites the existence of women's markets in Ihahan, favors a diffusionist theory in accounting for their presence in such widely separated areas as the Rif and the Sus.

This kind of thinking must be relegated to the realm of idle speculation. More important, however, is the rationale which Sánchez Pérez gives for the existence of women's markets. He says that the Aith Waryaghar themselves cannot account for the origin of this phenomenon (which is true); but when he states that they ascribe it to the need for the continuance of commercial interchange during the Republik, when all segments and subsegments of the tribe were perpetually at feud, and when only women, as non-combatants, were respected and came, in effect, to handle normal business transactions during such emergencies, he is, I strongly suspect, putting words in their mouths. His argument falls of its own weight, for why, then, should regular weekly markets (i.e. non-women's markets) continue to function all through siba, as they did? He does not take into consideration the primary raison d'etre of the Rifian market, which Blanco correctly interprets as a "place of peace"; for market day was the one non-feuding day (with Friday, perhaps, a poor second) of the week!

443 The truth of the matter, very probably, is that because the 562 men of the Aith Waryaghar have always zealously guarded their womenfolk and have never let them attend normal markets (although this has broken down somewhat as a result, possibly, of greater security

[621] 6) Means: its own functionaries and the contributions (taxes), in money or in kind, of its members (through profits, donations and fines).

7) Functionaries: are as enumerated below, duly grouped and classified for a primary and synthetic idea:

[623] a) Native and Permanent: the iziddjifen, who comprise the legislative body and whose nearest equivalent in European society would be "councillors in their own right" (concejales por derecho propio).

[646] b) Elective: the aitharbi'in, representatives to the outside world when occasion demands, and their auxiliaries, the aith amzzyan[2], and the trustees or administrators (umana).

c) Contracted: the fqih, for religious services; the mudarris, or teacher of the community's small boys in Koranic instruction; the amarras or storehouse (strawstack) guardian in the Eastern Rif; and the amzir or blacksmith.

d) Administrative: the mqaddim ("he who goes in front"), delegate of the Makhzin and linking agent; and the jari ("neighbor"), helper of the former in outlying communities or hamlets.

e) Recompensed: although this category, like the previous one, is not a normal jma'th category (but a Makhzin-created one), the tulba, and the notaries ('adul) and the aquwwam, or expert on matters pertaining to land and irrigation, all belong to it.

8) Mechanism: The jma'th was autonomous regarding all matters internal to it, economic questions as well as all others, and was co-sovereign in external matters, for it took part (as we shall see later) in the adoption of agreements and the carrying out of those accords necessary for the upper-level collectivities (i.e. sociopolitical units), in a way to be indicated later.

2--Possibly Blanco refers here to imzzyanen, "small people", in the same equivocal sense in which Coon (op. cit., 1931, p. 96) considered the council of the Rifian local community to be made up of teen-age boys, so that they would thus be prepared for governing in adult life. In our own experience, councillors are imgharen and imqqranen, "big men", not imzzyanen or "little ones".

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9) The Community Charter: The principal function of the iziddjifen, among the many that fell to them, was to establish the norms of coexistence, the laws by which they had to regulate their social relations, the qanun or the haqq, as they call it, and to which we may refer as the community charter, which comes to be its equivalent.

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This charter, whose archetypes, of a strong rudimentary beauty, I published in the year (not given: translator's note)[6], show very clearly its formative processes; and the matters which are codified are only those which it is convenient to recall periodically to the group as a whole for whatever the reason needed (neglect, modification or innovation), but not the only rules to be obeyed, for those admitted by Custom and followed in good faith, because of their applicability and convenience for the whole neighborhood, were not written down, as they were known to all and sundry. Thus, codifying them for the knowledge and satisfaction of outsiders would have been a waste of time.

The characteristics of these documents or agreements, which many people see only as simple lists of fines, can be resumed as follows: the drafting of the documents by the tulba, and the specification of the place concerned; those who attend; the reasons for the meeting and what is decided at it, i.e. transgressions, crimes and their penalties and sanctions; to whom this applies; the period of time that the agreement is to be in force; the individuals upon whom its fulfillment is incumbent; the neutral and prestigious personage who acts as mediator; and the saint or amrabit whose protection they invoke and under whose shadow they seek shelter.

6--The reference here is probably to La Ley Rifeña, 1939.

671 If aside from local community questions such as irrigation, hospitality and matters dealing with education, these community charters also deal with "crimes of blood" (delitos de sangre), one may see in them, more than the incumbency of these units (organisms), the necessity of providing for the lack of other upper-level associations which were lacking in this organized anarchy, which, in a happy phrase, may be attributed to those days when social disintegration attenuated the functioning of the upper-level units: clan (fracción) and tribe.

621 623 627 10) Security: Internally, security was guaranteed in normal times by the iziddjifen themselves, through the resolution of any incidents and the clearing up of any disputes which might arise, while in the internal political struggle of its council the popular spirit predominated. This was even more the case when within the council the 623 613 621 equilibrium between dharfiqin or agnatic lineages was broken and one lineage came to predominate, as now it was one of its representatives who, in the last analysis, came to achieve the delegation of the permanent executive function of security, under the pompous and strange designation of mqaddim or shaikh[7], who, satisfying his own personal vanity, brought about the envy of the iziddjifen, who were very jealous of their own prerogatives, who were paid in their jobs (sic)[8], and who were opposed to the notion of personal power for which the [671] struggle now began. In this respect the qanun of the jma'th of (Lower) Thamasind (Aith Waryaghar) is of interest.[9]

7--Again Blanco reveals an anti-Arab and a pro-Rifian bias, perhaps: he would obviously have preferred the designation amghar. However, and more to the point: he is also equally aware of the superfluity of such titles in a society as fiercely egalitarian as that of the Rifian tribes.

[114] 8--This was hardly the case: no tribal leaders (to say nothing of mere lineage headmen) in pre-Protectorate Morocco were ever paid in the formal sense of the word. Remuneration came through occasional "perks".

9--Cf. La Ley Rifeña, 1939, Chapter V.

person took to the storeroom the share of grain which had been allotted to him.

The fqih was contracted and paid through this share of grain. The mqaddim's job was gratuitous and was reduced to the acquisition of mats, lighting, buckets, brooms, small repairs, the storing of the harvest and the payment of the fqih, with due notice given to the jma'th. For other expenses, such as additions and improvements on the building, etc., there had to be prior agreement on the part of the jma'th, i.e. acceptance of these matters by the various lineage heads.

From this simple mechanism and the character of these properties resulted their scrupulous and austere administration by lay tribesmen (author's italics), which any other procedure would have been hard put to surpass. The result was that not only were the summary needs of this sort, today unsettled, catered to, but that it was rare to find a mosque which did not possess surplus stores good for five or six years. Hence this constituted a true estate, a localistic tie which everyone voluntarily tried to improve and which today it is possible that we (i.e. the Spanish administration) have disrupted.

It has been said that our (i.e. the Spanish) occupation and action have forced the discovery and have focused upon habus (religious and/or charitable endowment) properties which were either hidden or were on the point of disappearance. In the (tribal) countryside, this is either an error or an infantilism. Not only have we (the administration) discovered nothing of the sort, but we have confused things a great deal, as anyone who reads this paper, or rather, anyone

them, and to remove positions which might become complicated through useless centralization or confused through disadvantageous classification.

Today Rifian society lacks its own organs of expression, sheltering its ill humor from the picturesque pages of a partisan and slanderous (Spanish) press, a collector of those disaffected and rancorous individuals of poor mentality. In its turn the Makhzin becomes strengthened through a milieu which is hostile through incomprehension. It neutralizes its delegates (mqaddmin), the manner of their appointment, their mediating authority and their connection with the jma'th. Even should he like to do so, the mqaddim cannot, as in other positions, undertake to defend the Makhzin: it is possible that he does not know how, nor that it occurs to him, nor that he would even dare to do so. What, then, remains of his position? That of a local community guardian or of a poor (bad) or fearful informer, if not, indeed, tendentious for some individuals or for others. This is very little, and the progress made in the rural nuclei is nil: communal property is disappearing, and pastureland and brushwood-land are both getting further away and more reduced, while the mosques are cut into pieces, the (inter-community) paths are erased, the wells are emptied and the jma'th is becoming ruined, ceasing to act in its useful communal functions and endeavoring to become a paid or salaried parasite.

Nonetheless, even as strong as was Rifian Custom, so clear, simple and beneficial that it lasted for ages, it appears almost as if when the official and orderly crust was scratched, it (Custom) was unable to obtain the confidence of the tribes or even to fulfill

798 front of men[27] are also rejected, as are ululations made by the women
585 on behalf of the groom when he enters the bride's room. (In the Bni Hmid[28], the bride is carried on the shoulders of volunteers to the groom's house; she does not, as elsewhere, ride a mule. In the same tribe, on the first day of the 'Aid, the men, on coming out of the mosque, greet the women, who are waiting for them in a line, one by one)

E) Procedure:

692 Jural proceedings in the Rif are conducted in front of the
623 jma'th, personalized by several individuals (in one qanun, that of the Imhauren of the Aith 'Ari clan, by a triumvirate) who meet daily[29] in a central location known to all; under a large tree (usually carob or wild olive), at some water point, or in the mosque. Here the men come with the iziddjifen, and the old and sick men, to sit in the sun, to talk, and perhaps to take a siesta.

695 Procedure is as follows: the plaintiff comes to the area chosen, and, in most cases, both contestants present themselves there, each explaining his reasons without, however, coming to the central point. If he is a stranger, boys and villagers accompany him to the site and there they give the reason for his presence. Ordinarily the question is apt to be settled amicably right there, if it is not an important one; but if this is not the case, for example, and if one of the parties does not agree, the proceedings are extended somewhat longer, as he might request an evaluation by a specialist in such matters, or offer to provide witnesses[30] or other modes of proof; and he sets the time--or
[623] one of them asks to swear. The jma'th, e.g. all of those men present (not all the men of the village nor even nearly all of them) lets the

695 623 participants speak, and from time to time, whoever wants to (there is no single judge, and all present have the right to question the litigants) barks out a question or a sentence at them, and another, and another, until, when the contestants get tired, fed up, angry or have no more to say, things get excited, as a result of the loaded questions and confused answers; a certainty pervades the air which further emphasizes the responsibility and even the judging members of the jma'th, for some abandon the defense of the man from their dharfiqth or liff as impossible, while others affirm their suspicions. The first judgment is not long in being pronounced, one of the most outstanding persons of the casually organized assembly (or jury) giving it as his opinion on the matter, and the rest adhering to it. In most instances, on seeing his case unanimously judged (in his disfavor), the individual responsible yields. If he does not, new people come into play and voice their opinions. If the matter is important enough to be a case which smacks of jurisprudence,[31] the meeting held the following Friday (in the mosque, prior to the noon prayer) is devoted in part to going over it again and adding up the greatest number of opinions (pro and con)--but not votes--in order to give wider publicity to the agreement and even to take it down in writing if necessary, if so stipulated.

[212] [794] If there is written proof, any talib hesitatingly deciphers the documentary evidence, but the members of the jma'th do not let him take a tr'ck (thus showing the power of the layman over the judge??) other than in a very discreet and impartial manner. Sometimes they agree to submit the matter to an arbiter outside the jma'th, for greater impartiality in the decision. At other times they decide to submit the

695 At other times they decide to submit the
696 resolution to the clan council on the next market day; but when the
623 judgment, which is both swift and free of charge, has been rendered, the individual responsible can only comply with the council's decision; and he must do so not only more than rapidly, but virtually explosively, or be sentenced by his neighbors and his peers. If he resists, his only recourse is to take up arms, as everybody else is now after him, and this in itself obliges him to do so. The proceedings are rapid and gratuitous, as aforestated, except if experts are called upon to intervene; they are given an honorarium, the amount of which is determined by the custom of the tribe in question, and consists of such and such a percentage of the value of the appraised object or the object of the litigation[32].

692 Thus, true jural procedure, for the Rifian, is to render public
695 any offense or injury he has suffered, and to gain adherents to his point of view. First his family or kin group wants to intervene on his behalf, then his social grouping (properly: his lineage), and finally his liff, his last recourse. This multiplies the various contingencies and unsuspected turns the case may take ad infinitum, and tends to render useless any reclamations against an offender who is more powerful than the injured party. The latter may not take any action against him, but will often afterwards wait in ambush for him in order to redress the wrong! It is a procedure which.....awakens manliness and courage.....

[671] A good example of the executive procedure in criminal law is the qanun
[613] between dharfiqin[33].

000 Bshara, or procedure of recuperation[34]. (No text here whatsoever: translator's note.)

695 F) Oaths (fragmentary):[35]

In most cases, it is not the plaintiff who must prove his pretensions or denunciations, but the accused, who has to justify himself if the complaint is false. There are cases in which the accused has [562] no defense, such as offenses against women, in which the notion of the latter as minors comes into play. If the accusation of a women against her assailant is sufficient to punish the latter[36], where does one find more protection for the woman? Perhaps the rigor in these matters and 695 839 the fear of accusation by jealous husbands or fear of reprisals have permitted to a certain extent crimes such as rape[36a] A, etc., which, if not frequent, are nonetheless common enough to have a sanction imposed upon them in defense of the common moral standard.

695 [671] [191] Means of Proof: Testimonies differ from those admitted by the Shari'a. In most cases testimony is invalid unless five members of the accused man's family (i.e. his agnates) are present to swear. They are 695 623 previously selected by him, but the jma'th, who know very well the men constitute its membership, can refuse to admit any of them that it wants [613] to[37]. In serious cases, ten members of the dharfiqth of the accused are required to take oath; they are, however, not chosen by the defendant himself, but by the jma'th, among (translator's italics) the members of his dharfiqth[38].

695 829 181 Thus, if oaths are permitted as means of proof, the number of cojurors varies according to the gravity of the offense; this provides a greater guarantee and shows in yet another way that Rifian society is not individual, but solid and familial; in its concept of collective responsibility, blame or sanctions attach to the group rather than to

A, [This footnote was not included in the notes at the end of this section, p. 229--Analyst]

000 does it for him, or to the jma'th if no one does so.

684 f) Anyone who commits an act of bestiality must pay for the fodder of the assaulted animal for one day; and among the Aith Waryaghar, he must pay for its packsaddle as well as a 50-peseta fine, and he is cursed by the market crier in the market[74].....

2) Among the Aith 'Ammarth:

685 a) A blacksmith of....asked the qadi for a room to live in. It was given him, and in it he raised chickens, which began to eat the qadi's barley. The qadi claimed compensation from him, saying that he had to kill the chickens and leave the house. He refused to do so, 685 and made a reclamation to the shaikh, who said he was in the right. 692 Then a member of the qadi's family poisoned all the chickens, and the blacksmith complained to the mqaddim. The jma'th, as a result, met in the mosque and fined the qadi 18 duros, of which the blacksmith received only two or three.

582 b) In the village of Aith Finathen, clan of Aith r-Hasayin, one 'Amar nd-Hajj Sriman, a rich man, married his daughter to Muhammadi n Si Siddiq nd-Hajj Sriman, a poor man and one of his agnates (i.e. his brother's son), in order to keep him as a servant[75]. The young man 682 [619] eventually killed his uncle. The tribal council was convoked, and its members punished the dead man's sons by imposing a 6000-peseta fine on them; and they in turn killed Muhammadi and paid another fine....During 662 his lifetime, 'Amar nd-Hajj Sriman, as well as his five brothers, had 623 on various occasions paid 400 duros to the jma'th to excuse themselves from participation in tribal wars.

661 c) A poor man made a goatherd of one of his younger in-laws,

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

3. COUNCILS, WARFARE AND ALLIANCES

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A) The Agraw:

The agraw is a meeting or convening of all the adult Rifian males in a clan or tribe who are capable of supporting their opinions by force of arms. It is an assembly of all men who carry rifles, and it has almost unlimited attributes, among which the major ones are:

a) Declaration of war and of all that this embodies (organization of attack and defense, organization of harka-s or war-parties, contingents which are levied up for distant expeditions, and establishment of agreements of friendship or alliance with neighboring tribes).

b) Guarding the security and honor of its component family and kin groups (making common cause with them, supporting them with force if necessary, and acting as mediators); thus, when the interests of any individual or of his kinsmen are harmed, and he is incapable of defending his rights, the councilmembers claim the resulting damages in his name, and, in order to obtain them, they either very soon have to take up arms, or wait and work out an alliance with other igrawn, or convoke the agraw of the group one step up the ladder.

The agraw may be on a village (or hamlet), "fractional" (or clan), or tribal level, and the only difference between these three levels lies in the number of councillors who attend the meeting on each one....The agraw is convoked by mqaddimin or shiyukh[1]; by word of mouth, by arqqas or messenger (gunshots by day or bonfires--thafgirth, pl. thifgirin--at night, in case of alarm, and in both instances by cries transmitted from hilltop to hilltop, from village to village, and from mountain to plain).

[202]

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

634 Every man who carries a rifle drops whatever he is doing and
623 goes immediately to the council site, leaving his house, interests and
614 work in the fields to his women, who collect all their movable property,
619 animals and children, in case they have to move, and await the news,
562 quickly transmitted, with anxiety, while they decide upon their place
722 of retirement (usually the house of some relative) and form a line of sentries, together with the older children. Here they follow, with analogous emotions, the events of the fight, if there is one, and await its outcome....Once the men have arrived at the site of the
634 alarm, or more often at a generally determined meeting site (agraw),
623 they start to look, without orders or signals, for their kinsmen and
614 neighbors who have arrived or are just arriving. They are always
619 careful to seek a spatially dominant position, and remain grouped together some little distance from the other groups which are also being formed, completing a circle, in the interior of which only the chiefs, who are rapidly informed of the matter and of the opinions of their subordinates, may enter. Such opinions are impassioned ones, as they have been forged (in case of alarm) on the spur of the moment, on the basis of what those who echo them have heard, or on the basis of what is going on around them; one can distinguish the feverish voices of the kinsmen and friends of the injured party, who want immediate reparation.

634 In this heated atmosphere the delineation by the chiefs of the
623 matter at hand begins; they are attentive not so much to what happens
614 in their own little circle, but to the stormy atmosphere being created
619 on the outside one and pressing in on them....If the matter is one of
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634 If the matter is one of
623 imposition of a fine, the deliberations are rendered longer, through
614 haggling, and more methodical, because in such an instance custom
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692 decrees that half of it (i.e. the fine) goes to those who impose it,
681 the chiefs within the small circle, and the other half, to the injured parties and their kinsmen (the sector, or the whole big outside circle).[2 & 3]

1) War:

634 a) Declaration:--War surges up frequently from agraw meet-
619 ings; at times, a meeting terminates in rifle shots. This may not be
614 a very politic declaration, but, equally, it is not a very rare one.
623 ....Ordinarily, the separation and departure of those who have come
628 together and convened at a council meeting without having arrived at
721 any agreement is considered tantamount to a declaration of war, which all the threatening components hastily retire in order to prepare.... Only the later intervention of new emissaries can put off hostilities. This in itself is uncommon, because from the moment the meeting is theoretically over, disputes and quarrels begin in fact, and the life expectancy of such emissaries would thus become extremely slight.

628 b) Fighting:--Usually the plan of attack is instinctive,
721 logical and clear to all: the accusers, being warned and prepared beforehand, are the attackers and take the offensive, while the accused,
(624) surprised by the result, are on the defensive. No war chiefs have been previously appointed. The objective is clear and simple for every combatant, namely, to exterminate the opposite group and take over its property. Very soon combat parties are drawn up, through reasons of kinship, friendship and geographical proximity; at night,

own jma'ths; they were headed by men of their own localities; and 'Abd al-Krim only reserved for himself the right to nominate individuals in his confidence for top positions[5].

The contingents of each tribe were headed by the notables of that tribe, and were instructed independently within the whole harka agglomerate. The tribal notables received news of the objectives they had to attain; they took their contingents into battle; and afterwards, they abandoned the field and brought their harkas home.... Through their representatives in the agraw, the jma'ths knew the contingent which was requested, and they made the division and nominated the chiefs[6]. There were both volunteers and conscripts; but in each house, one man had to stay at home. An amghar or the amghar was the elected warchief, and he established his contingent....He did not abandon his house or agricultural tasks or coerce anyone to fight[7], and the jma'th saw to an equitable distribution of men under arms at all times. Only shurfa, old men, boys and individuals with physical defects were exempt from harka service.

Attempts were made to respect geographical order, and each contingent was called upon to engage in combat only on its natural front. The order of battle was traditionally known, and was answerable to political necessity. Coexistence was easier for harka members on their natural fronts, of course, in their own land; resistance was more effective, displacements were more rapid and dispersion was less serious. Knowing the country perfectly, they could send groups to defend passes or watersheds or gorges in relays, each one two or three hours behind the last, so that later arrivals could increase the

616 (social), for a man only goes to his liff when the other two types fail him. Thus we see individuals or groups, when they are helpless, calling for their liffs in defense of their rights or taking refuge with them when, conquered or routed, they abandon their own hearths.

601 621 Tribes and their clans, and jma'ths and their kin groups or dharfiqin are generally divided into two balanced, symmetrical and mutually hostile parties; and it is in such an equilibrium that we find the strength of each group, no matter how insignificant that group may appear, and the weakness of the whole tribe, which is only welded together if threatened from outside.

616 619 621 623 In essence, in the tribe of the Aith Waryaghar, the innumerable feuds between jma'ths are reduced to two parties, within each council, whose quarrel, perhaps rather than for hegemony, is a dispute of interests. But, in discussing parties, let us rid ourselves of the 642 795 notions which these have for Europeans, either in forms of government or in religion. In such simple questions, Republic[28] and Islam have been in agreement for a long time. The Rifian states were religious republics governed by laymen, we might say. Well and good: above and 616 beyond these quarrels and ferocious feuds, the Aith Waryaghar knew how to ally themselves, absolutely independently of these, to other groups, indicating that the motive forces which underlay each class of alli- 619 ance were different[29]. Thus we see, for example, how the five khmas (sing. khums) of the Aith Waryaghar were allied or opposed to each other, and how they constituted two mutually hostile bands; the Aith 'Adhiya, Aith 'Ari and Aith 'Abd Allah on one side, and the rest on the other[30]. In my opinion, these two bands represent the most obvious

This proves what has been said
554 regarding the treatment of social organization in connection with the
671 ascendency and distinctiveness of the clans, of the suq, a true par-
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621 liament, which is attended by the most outstanding men of the clan,
623 tacit or vocal delegates of the jma'ths who form an aristocracy known
619 as the Aitharbi'in, whose circumstantial attendance in some cases
646 forms the agraw, the directing assembly and organism of the tribe.

614 This also serves to confirm our opinion that in the Rifian
671 area it is not the tribe which legislates and executes, but the clan,
[619] through its leaders, who parley in the market. It is thus the clan
[554] and its representatives in which all powers are concentrated and only
in case of a decrease in strength do they pay heed to the rest. The
Rifian clan is thus a truly autonomous state. It makes the law and
[681] executes it. Look, for instance, at the division of the fine, how
not a single céntimo goes to the representatives of other clans, even
if they are of the same tribe.

681 Notes 11, 12 and 13, which deal with the division of the fine,
[628] prove many of these notions. The victim or his family does not benefit
from it, for from the beginning his business is individual; a member
of his family (i.e. one of his agnates) will already be designated to
671 avenge him. The law does not punish more than the violation of the
pact, indemnifying those who remain faithful to such violation and saw
628 to its fulfillment. For this reason the perpetrator and his family
[672] (agnates) are punished, while all those who intervene in the service
of justice benefit, for they or their representatives carry it out.
If they get no money, as such, for such services, nobody would be
interested, for in carrying them out, he would not be bothered to

000 they are obliged to assemble in order to keep them down. Furthermore,
437 we may see the alarming case in which the commercial transactions of
556
152 some individuals with the Island of al-Husaima undergo a considerable increase; their gains, fabulously augmented through envy and general misery, permit their rivals to throw doubts and suspicion on the real origin of their opulence; having no other source of wealth, the latter impute frightful treacheries to them. Perhaps a bloodfeud or an
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177 accusation deprived more than one Amhaw (sing. of Imhawren) of a large Spanish pension from the above island[34].....All this and the constant
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623 inter-lineage hatreds charged the atmosphere in such a way that somebody had the idea, eagerly grasped by the rest, to hold a meeting in order to put an end to such a calamitous state of affairs.

623 When the date is established and has arrived, the meeting is held, without discussion of anything other than details, for in the preparatory work, as we have said, the participants have already reached the stage of assembling their criteria. There is no delay in expressing whatever must be considered a crime, nor even in the type and importance of the punishment, for as all of them committed sins or hoped for an occasion to do so, they had to establish a moderate punishment under a savage exterior, and, above all, a guarantee of not becoming enveloped in bloodfeuds.

623 For this reason, the popular assembly makes a collective and
687 graphic insult (Blanco: note b, in text), although afterwards this is
685 limited to a fine (Blanco" note c, in text) of fairly sizeable proportions which is imposed upon the smuggler and informer from al-Husaima Island or on a thief, in place of exterminating him. Thus public

623 Thus public
182 esteem and the ideas which such deeds provoke in others are regained;
673 they satisfy the mass of the people without having to resort to cru-
687 elty, for.....in a truly humane feeling, note c in the text shows that
685 the author of the crime must have been caught in flagrante delicto.
627 Discounting possible vengeance and not very sure of having succeeded in
623 doing so, note e in the text shows the institution of a popular tri-
554 bunal formed by two neutral individuals, two men who neither take part
671 in the agreement nor are members of the jma'th, but the fact that they
have prestige in it is a maximum guarantee of the workability of the
qanun in question.

623 Furthermore, the jma'th as a social unit is personified not in
621 its mqaddim, in the Arab manner, but, hostile to personal power, in a
triumvirate formed by three of the legislators who took part in the
meeting and who remain obligated to watch over the fulfillment of the
agreement. This executive organ of power is made up of laymen, and it
as much as the aforementioned tribunal is the result of popular election.

671 In the few lines which this qanun has, aside from creating a
624 a code, a tribunal and a police force, all of which are, naturally,
182 gratuitous, it creates a rural exchequer, and all this with a good,
natural and admirable feeling.

182 It restricts, through fear of fines, damages to the small social
671 unit it represents by guaranteeing the safety of property and discard-
626 ing cravings for economic expansion at the expense of member lineages.[35]
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613

691 It creates lineage authorities whose jobs are gratuitous, and,
613 always suspicious, it avoids concentration of power in the hands of one
661 person, a fact which permits neither a shade of tyranny by the latter
182 nor a bastardization of his office.

nor a bastardization of his office. It creates guarantees for the accused, protecting him from bloodfeuds; it indemnifies the social unit, the subclan of Imhauren, from injuries caused by some of its members, so that when the fine is donated to the habus of the village mosque, through the particular conceptualization and application of these funds in the Rif, a part of the money always came back to the jma'th in kind; and the eagerness for a reward, as among participating European functionaries, who multiply the fines by increasing their investigations and denunciations in proportion to their needs, was discarded.

It has--and why not?--among its other defects one which is certainly a simple defect in editing, although the frequency with which it is repeated makes this doubtful in several cases. The intention (author's italics) (Blanco: note f, in text) is punished, but how can it be proven? According only to the prudent arbitration of the popular tribunal formed by the two aforementioned individuals. A bad business.

Curious and noteworthy is the palpable demonstration of this municipal letter, of this qanun of a jma'th, which is careful not to overstep the bounds of adjacent institutions, such as those of personal status law (inheritance, etc.) or of those handled by the immediately superior social unit, the clan, with its qanun approved and drawn up in the markets (murders and woundings, etc.), a fact which reveals the interrelationship and interdependence of the different social units, and even their institutions and how they function.

This qanun is limited, logically, to neighborhood questions, among which there figures in first place that of public security (espionage)[36] and secondly that of property.

000 (espionage)[36] and secondly that of property. It[A] says nothing regarding
671 the question of irrigation, because within the territory of this subclan
312 there is not a single point of communal water available or usable only
614 by this jma'th, as happens in Thamasind (see Qanun of Tamasint); on the other hand, it forms part of a group of irrigating jma'ths subjected to the same norms which are described in detail in Chapter XIV, and, if it does not touch other points of coexistence and if it is observed in other qanuns, this is simply because such questions did not give rise to any disagreements, for all members of the subclan accepted the old and very well-known customs of their jma'th in good spirit.

000 And rough, practical men cannot lose time inventing or making things up, even though they may be capable of doing so.

671 This qanun, like almost all others, brings into relief the sweat, efforts and oversights of those who drew it up, in order to validate the precepts agreed upon and in order to satisfy, for those attending to them[37]; for, attentive to his individual interests, a man would wish to make an addendum if a mishap had occurred in his orchard the previous night, as in note i in the text. Amplifications or corrections were required, for, fearing that they were not understood by the hard-headed councilmembers, the plaintiff was accredited before the legislative assembly as proof of his presence at the legislative meeting even if only to legislate egotistically for his orchard.

623 With this, they accredited that under a severe and formalized
182 appearance, there was no more than childishness (sic) and incapacity to govern (sic): lost in small details, strongly addicted to minutiae, passionately influenced by the latest incident, working anarchically (sic), each person obsessed with his own problems, attentive to his

[A] [i.e., the qanun--Analyst]

623 182 own circumstantial interest, their councils and the agreements fallen back upon in them lacked that breadth and generality which would have been needed for a longer duration in any jural operation. In a short time, new, unspecified cases or prejudice among the influential men brought their usefulness to an end and necessitated their being redrafted, in which previous experience, the analysis of which was discarded in order to resolve the question of the moment, did not play a part.

671 212 For this reason written laws in the Rif are rare, of only relative value and minimal jural operation, which did not go beyond the time it took the minors (author's italics), the small ones, to forget the announcement of the majors (author's italics) by the criers in the markets to reach their hands.

671 They do not have the severity of European law which, even though drafted in moments of emotion, gathers up and encloses in itself principles of general usefulness, a usefulness which does not necessarily exist at the time of codification but which comes into play with possible and presumable variations which later times can introduce, by which, with the prolongation of their legal operation, their disclosure and exemplarity increase, resulting in the slow but sure advance of society.

5. QANUN OF THE JAMA'A OF TAMASINT (AITH WARYAGHAR):

671 695 621 623 A) Qanun:

(Blanco: paragraph a) Praise be to God.--Copy.--In front of both witnesses testifying at the present act, those of the jama'a of Tamasint as-Sifli, Lower Thamasind, appeared for judgment, including:

671 Muhammad bin Muhammad; at-Talib Sidi Shu'aib bin al-Faqir Misa'ud;
695 Misa'ud bin Muhammad; Muhammad bin Muhammad al-'Attabi; 'Ali bin
621 al-Faqir Muhammad Azifzaf; Muhammad bin Muhammad of Ait Bu Bakr;
623 Misa'ud bin Muhammad; Sa'id bin 'Azzuz; Muhammad bin Muhammad; Muhammad bin ash-Shaikh 'Ali; and Muhammad bin Muhammad bin 'Ayad Amti; and giving respect to 'Ali bin 'Azzuz bin Muhammad bin 'Azzuz, (recognizing) that he is their shaikh, and, by the same token, the shaikh of the jama'a of Tamasint.

685 (Blanco: paragraph b) At the same time, regarding the orchards
821 and gardens, they agreed that if anyone be detained (while stealing) during the night, (he shall pay a fine of) 10 mithqals, and if he should do so during the day, he shall pay 50 uqiyyas. If he should steal cereals or fruits (literally, "figs"), he shall be punished in the prescribed manner with respect to orchards. If he should steal during the day, he shall pay 50 mithqals in money. If he should die
685 during and because of committing theft, there shall in no case be any indemnity to be paid.

682 (Blanco: paragraph c) If anyone should unsheath his dagger (with intent to attack), he shall pay one duro.[38] If he should point his rifle at someone of the aforementioned jama'a, he shall pay 10 mithqals to the shaikh.

685 (Blanco: paragraph d) If (the entrance) of (his) animals, such
672 as goats, cattle, sheep and donkeys, should take place in the cereal (fields) of his neighbor, he shall pay 10 muzumas.

574 (Blanco: paragraph e) If someone should spend the night as a
689 guest in the jama'a of Tamasint, all shall go to where he is staying

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2) Commentary:

This document, this community charter, as is customary with such writings, begins by enumerating the men who attended the meeting in which it was drawn up. This simple list of names reveals to us, in the first place, the supremacy of the laymen, with civil power, over the clerics, a fact which may be observed in the name of the man figuring in first place being ahead of that of the Talib Sidi Shu'aib. The order in which the names occur is not a casual one. The editors of the qanuns, profound psychologists who know to perfection the environment in which they operate, never dare to invert the terms of social protocol; they know with their eyes closed who must occupy the preferential place, and that the slightest transgression in this respect would tear down not only the agreement, through any quarrel which might take place, but also the effigy of the editors themselves[39].....

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The first paragraph puts into relief just who are the representative men of the jma'th, the notables, the heads of the lineages making up the village, the iziddifen, who formed the council regulating neighborhood relations, the only council empowered to legislate in such questions (Blanco: paragraph i or j), and equivalent to the Spanish Consejo or Ayuntamiento.[40]

The agraw or council-meeting held on this occasion by the iziddifen had as its object, as the written qanun shows us, the legislation of neighborhood questions concerning the council, regulation of the coexistence of its lineage members, guaranteeing the free and peaceful usufruct of individual and communal (i.e. water) property,

623 the imposition of minimal social obligations (education and hospitality), the equal division of duties and work, and, finally, nomination of a man to represent the jma'th and to see that local law is enforced.

This jma'th and its representative were legitimate organs of the people, an authentic and faithful reflection of the feeling and convenience of its members, live and efficient organisms. Today a 623 179 182 rigid Arab framework and its imposed and despotic representatives has submerged the jma'th, without any alternative other than the hatred or scorn of its members, according to whether the chief is a tyrant, or a slave to his needs or whims.

436 681 For an analysis of the proportioning of the punishment, it is well to know the equivalents of the Rifian monetary system, as follows:[41]

Mithqal--2 Spanish pesetas

Bsita--0.60 Spanish pesetas

Rbi'a--0.50 Spanish pesetas

Uqiyya or Spanish onza, "ounce"--0.20 Spanish pesetas

Ujjhain (two muzunas)--0.10 Spanish pesetas

Muzuna or Spanish blanquillo, "little target"--0.05 Spanish pesetas.

681 673 With these data to hand, we may now establish the framework of fines which occur in the qanun commented upon, in the following order:

Theft by day, of cereals or fruits (figs, etc.)--100 pesetas

Theft by night, in the orchards or gardens--20 pesetas

Threats with firearms--20 pesetas

Thefts by day, in the orchards--10 pesetas

Threats with knives or daggers--5 pesetas

Damages to dams--5 pesetas

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Recalcitrance toward hospitality--5 pesetas

Disobedience to other agreements of the iziddifen--5 pesetas

Incompletion of contractual obligations to the schoolmaster--2 pesetas

Damages to irrigation ditches--2 pesetas

Damages caused by animals in land just sown--0.50 pesetas

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An examination of this graded scale shows us with evident clarity the importance which the jma'th attributed to acts committed against it, those against property emerging as the gravest and most feared; for the property of the jma'th was its support and sustenance, and its members placed the strongest penalty upon possible theft of its scarce food reserves in order to avoid such temptations.

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The principal obsession of the jma'th as an institution is, then, the defense of its property and the avoidance of agressions among its members (author's italics), whose simple intention (author's italics) it punishes, in order to avoid quarrels.

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(793)
(574)

Although rudimentary, it aims to fulfill the defensive needs of the whole social unit. It is not warlike, nor is it in the least religious, if we consider the very slight importance which it concedes toward sustenance of the fqih (two pesetas of the fine).[42] It is purely and simply a social unit which places much more importance on the duties of hospitality to guests, for example.[43]

(623)
(681)
(564)

But it is humane. There are no lashings or mutilations, as instituted by Muslim law, with or without Qur'anic ceremonial; nor is there any deprivation whatsoever of personal liberty in the manner of European codes. Neither is it proud, converting the legislators into demi-gods, thanks to immunities and other profits....It aids them to

623 554 legislate, but it is not maintained by conferring distinctions on them, converting them into a caste, nor by giving them stipends for their work. For this same reason, the council-members have, perhaps, greater esteem among their neighbors. On the other hand, the jma'th punishes [581] disobedience to its decrees, but it does not impose a penalty on those who disobey the shaikh, who is simply a representative of the people with outside denomination expressed in writing (i.e. in Arabic), in view of the difficulty of expressing this in his own language.[44] That [622] he is a simple titular and outside arbiter is shown by the fact that his function, in Arabic terminology and organization, would be that of a mqaddim.

671 554 623 [578] This qanun is an excellent example of the beginnings of a trend toward personal power concentrated in a single individual, the shaikh, charged with the representation of the jma'th and the execution of its agreements;.....and we may perceive indistinctly the intrigue and the deaf struggle between this personage and the rest of the community, who are jealous of his attributes. In the first draft, the document is declared valid (Blanco: paragraph f, in text); but in the oversights pointed up in the re-reading of the document, and certainly at the shaikh's request, they consent to the fact that obedience to him be recommended in the addenda; but they have been careful, in the preceding paragraph (paragraph i), to state that only they can make resolutions or define crimes and misdemeanors through enforcement of law and punishment, always granted, of course, that such enforcement be useful (author's italics); but neither the shaikh nor anyone else can invent or contrive more than his council, because only they are capable

671 of knowing the needs of the moment, not past or future needs which do
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623 not mean anything to anybody. They are living laws designed for living people, for those present.

671 Paragraph b shows us how they embellish their law, taking aggra-
672 vating and attenuating circumstances into account. Among these are nocturnity and dwellings (where they guard their fig and grain re-
[682] serves). Attenuating and, even more, exemption from responsibility, homicide is legitimate if committed in self defense or in defense of one's property.

68 Paragraph c punishes intention, in order to avoid disputes,
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661 and makes a small concession to personal power, permitting the shaikh
671 to keep for himself this fine destined for the common fund.

685 Paragraph d is concerned with injuries to crops by animals,
672 which are herded by children. The punishment is minimal.
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In paragraph e, the law of the jma'th establishes and regulates
671 the social duty of hospitality, imposing the burden equally on all its
683 members. Guests learn that it is not only the shaikh who pays for
594 their upkeep, but all the members of the jma'th, even the poor ones.

623 Consider also the excessive number of voluntary servitors who
594 dance continued attendance on the guest with towels, basins and soap, and finally the amphitrion hands over to their expectant voracity all the remains of your meal, except for one small dish which, passing through the door, is submerged in the mysterious interior of the dwelling as a reward for the activity of the women or children who prepared it. When you leave, each member of the jma'th retires with whatever he presented for your comfort: pillows, blankets, soap, coffee pot or teapot, towel, glasses, candles, etc.

771 [671] Paragraph h shows us the guarantee of keeping the principal religious services (funerals, etc.) and of keeping their sons educated in the faith. Today, under a different pretext, it is not uncommon 771 178 to observe someone pretending to reject with disdain such a traditional [793] obligation, for which he must not claim protection. The reason for this, rather than being rooted in irreligiosity, must be sought in possible antagonisms with the fqih.

623 671 Paragraph i conditions the obligation of fulfilling the agreements with certain legalities: that so many individuals be present at the meeting, and that they be useful and not prejudicial. They are, thus, the colegislators, working freely and without limitation, without dependence on anyone. It urges obedience.

671 [554] Paragraph j recommends obedience to the shaikh.

In summation: this beautiful qanun of a jma'th establishes who 671 623 are the iziddifen or council-members, and what their attributes are: to establish statutes regarding damages to crops, education and hospitality, but not to concern themselves with murder, woundings and homicide, an affair of the clan, nor with personal status, a religious 623 matter. In the internal struggle within the jma'th, if, indeed, the 554 iziddifen consent and delegate the execution of their decisions to a representative (the shaikh) to whom they accord circumstantial rewards, at the same time, jealous of their prerogatives, they free themselves very easily from authorizing him to contrive misdemeanors and penalties for these.

554 Thus the shaikh, in reality, is only the guardian of the community.

6. QANUN OF THE AITH 'ABDALLAH[45] (AITH WARYAGHAR)

A) Qanun:

671 443 [778] Praise be to the One God. The will and eternal power of Our Lord having decided thus, the congregation--in the Tuesday Market (Suq ath-Thulatha) (situated) at 'Ain Tihalalin[46], in the vicinity of (the tomb of) the holy emanator of blessings Sidi 'Amran[47]--of its owners, those of the clan of Bani 'Abdallah. (The latter) convened 623 443 692 681 (in the abovementioned market) with the idea of coming to agreement on their criteria and on the purity of their actions in behalf of the common good of all; and, as a consequence, they decided the amount of the fines to be imposed inasmuch as there should occur within the abovementioned market, or, indeed, outside it on the path (which leads to it), (Blanco: note a) incidents, premeditated or not, through error or imprudence, such as woundings and murders (which might happen) through gunshots, knifings, strangulations and stonings, (or, indeed), pillaging and sacking. (Blanco: note b) To anyone who kills in the 682 443 interior of the market and is caught (literally, "had"), rashsha' shall [696] be applied to him (i.e. he shall be shot). If he has not been captured owing to having fled to another tribe (literally, "other tribes"), (they shall impose upon him a fine of) 2000 duros and his house shall be burned down to its foundations. (If he should kill) on the path (which leads to the market) he shall also pay (a fine of) 2000 (duros). Whoever should wound (another), (he shall be fined) 1000 duros. Whoever (shoots) and misses (his target), (he shall pay a fine of) 500 duros. 683

682 (Blanco: note c) Whoever of the Bani 'Abdallah should commit murder on Tuesday (i.e. on market day, the day of the suq) within the

671 It eschews pardon,
614 it demands proof and it shows the reality of the
62 social unit, the "fraction" (author's italics--the translator
619 would call it "clan", with translator's italics), the characteristic
631 and fundamental unit of Rifian social organization, in the same way that the jma'th (author's italics) is the elementary unit, the tribe (author's italics) the principal unit and the confederation (author's italics) the superior unit.[49]

443 The life of all peoples demands some commercial interchange and, by the same token, commercial relations as such; and the result of this is that these relations must be regulated. This necessity
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623 impels the jma'ths resident in a small area to satisfy it by estab-
443 lishing a common market in a fixed and determined place on a fixed and
671 determined day of the week, and guaranteeing access and permanence to those who attend it by means of an agreement among its representatives, whose written accord, respected across time, forms the law of the clan, an example of which is the qanun commented upon here. A law which, in
[182] principle, has as its only objective the guarantee of commercial interchange, establishing a truce to its disastrous life, it becomes accustomed little by little to social coexistence, giving consistency to the immediately superior unit, the jma'th, the demarcation of which at least corresponds topographically to an accident of the terrain (the side of a mountain, the course of a river, a meseta, etc.) abridging its pride and feeling of solidarity in seeing its market thus favored, converting it into an oasis of peace, a localistic tie which, overflowing the reduced limits of the jma'th, widens its notions of humanitarianism.

671 Look at how this admirable qanun shows in its first paragraph
443 the market as the temple where the agreement, the law of the people,
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671 794 212 In these childish (sic) legislators we may observe the suspicions and fears which the poor tulba plant with their confused drafts of these qanuns, drafts which they never succeed in becoming satisfied about; for they see themselves bound to the impossibility of correcting their vague and hazy language and can only modify it with addenda which for the most part only give rise to new and further confusions. But this is not the fault of the man who grasps his rifle, but rather of him who wields the pen.

671 [62] [623] [614] We see in this clas qanun how it refuses to concern itself with matters that fall within the exclusive competence of the jma'th, which has its own independent life[50], as the final step of Berber anarchy (sic). Thus, for example, it says nothing about irrigation, orchards or fields, hospitality, education, grazing lands, collecting and gathering, etc., and neither does it enter into private rights, personal and successoral law. It limits itself, rather, to regulating the coexistence of its component jma'ths, lineages and individuals in the only places where they come together (i.e. markets).

671 183 It is also to be seen that the social or public law which this qanun represents is inspired by norms which are more elevated through the non-admission of compensation, such as blood-spilling, in cases of common prestige (murder in the market) without, at the same time, ceasing to be inspired by norms more humanitarian than the private rights admitted by vengeance and reprisal, to which the codes of social units like this one are opposed,.....

671 614 613 182 So that, while the qanuns of clans tend toward the clans' preservation, they develop solidarity, and neutralize the rivalries of

671 component lineage groups, for the practices of such groups tend to
614 disintegrate them through the violent opposition of the individual
613 interests of their members. The clan officiates as a soothing in-
182 fluence on the disorderly appetites of the lineages, patrilineally and patrilaterally united by the strong tie of blood.[51]

671 7. QANUN OF THE AITH 'ADHIYA[52] (AITH WARYAGHAR)
693 A) Qanun:
695 Copy.--Praise be to God. In the presence of both the under-
623 621 signed notaries, all those of Bani 'Adhiya (properly, Bani 'Aziya)
782 made testimony, both adults and minors (author's italics) who constitute the jama'as of the Ait Tazurakht, Ait ar-Rabda, Ait Kharbush, Ait Mnudh, Ait Ajdir, Ait (illegible)[53], Ait Ighmiren and Ait Fars, that they, when they went together to the tomb of the saint Sidi al-Hajj 'Umar, in ar-Rabda, sacrificed two bulls as an offering to him[54], (on the occasion of which) an act of reconciliation took place between them, with respect to murder, theft, pillage and other acts of this
682 kind. In case any of them should kill another, then all the above-
613 mentioned villages of the Bani 'Adhiya shall unite against him and burn his estate and that of his brothers (i.e. agnates); they shall drag them from their houses and exact from them a fine of 1000 duros.
682 This (shall be the case) if he should have killed outside the market[55]
443 or without witnesses (literally, "without a meeting"). In case he should kill someone in the market or in front of witnesses, then the procedure shall be as stated above, all uniting against him, burning his estate and that of his brothers (i.e. agnates), and taking from them, as a punishment against him, a fine of 2000 duros.[56]

The jma'ths agree on the amount of the fines to be imposed for infractions of these rules, especially those having to do with the freedom of women, forbidding the men either to come near them or to remain in those paths which lead to their washing or bathing sites. Ordinarily, in this case, a turn is set up for a boy to act as guard, at a prudent distance from the site, if the latter by its topographical situation or by its distance from the village renders such a move necessary.

D) Irrigation in General:

The utilization of water in the Central Rif, particularly among the Aith Waryaghar, is the object, in both general and particular cases, of agreements between the users; these agreements are made at the beginning of the summer for those water points which have a small or intermittent flow and which are of short duration. These agreements are also usually unwritten, and they deal with the following points: 1) dams, 2) network of irrigation ditches, 3) repairs to ditches, 4) turns (nubth, pl. nubath) of those who irrigate, and 5) infractions and sanctions.

The labor as well as the necessary repairs are done by compulsory personal service (twiza)[119] and proportional contributions on the part of the irrigators. Any ditches which need special work done on them, such as bridges or retaining dams, are previously agreed upon to be done by contract with master-masons, with the cost of the materials included.

Infractions are usually reduced to: 1) appropriation by anyone of a turn or turns of water outside or exceeding his own, and 2) differences and disputes which during the "Republik" were settled

671 224 [804] If, however, the animal should flee and be killed by another hunter, it (still) belongs to the one who discovered it, although he may not have shot or thrown at it, provided that the distance from the point where it fell to that where it was discovered can be covered by a stone's throw, done either by him himself or by another hunter designated by him, with, furthermore, the choice of either point as that of the stone-throw being open to him (either where the animal fell or where it got up). This is done in order to utilize the slope, if.....this distance had not been previously established.

671 223 224 8) An animal or bird flushed up by a hunter is his if he does not pass beyond a distance of forty feet counted from the point at which it was flushed, and even though the shot may have missed it or if it was overtaken by a dog (Sanhaja Srir).

[681] 9) If an animal or bird wounded by one hunting party is finished off and collected by another one, it belongs to the first party, to which it must be returned even though it may already be cooked; and if it has been eaten, the second party must pay the first 25 pesetas as compensation (Sanhaja Srir).

671 223 623 10) Nests belong to whoever discovers them, and in the event that they are saved as bait in order to hunt the mother with a trap or net, the site must be shown to the jma'th, in order to insure priority rights.

G) Dogs:[191]

671 223 224 231 1) Animals or birds picked up by dogs are not for the owner of the dog, but for whoever takes them out of his mouth (Aith 'Ammarth). This is based upon the fact that if the dogs are not trained, they will

621 623 Each dchar has its own jemas to which all adult men are theoretically eligible. Its political powers are rather negligible at present and jemas meetings are held infrequently. The jemas meets to make decisions on the allotment of the community for the upkeep of the local mosque or to take up a local subscription to buy an animal for ceremonial purposes or to voice community feeling towards proposed projects of the provincial government. Each dchar is administered by a moqaddem who is 621 622 659 appointed by the national government. While the appointment is made by the government it is always of a local notable, prominent and acceptable at the local level. The moqaddem 622 631 619 may and usually does have administrative responsibility over more than one dchar. Taking again the Ibuqquyen as our example we find that four moqaddems of the fraction of Izmourin are responsible for 9 dchars, that the three of Axgar are in charge of 13 dchars, and the two of Tagidit for 14 dchars.

623 [554] Although theoretically every adult male is supposed to have a voice in the local council, in practice the younger men or the poor do not play a very active role and decisions are for the most part guided by the local notables. In traditional days, 623 198 before pacification, these councils had a great deal of political power and were active in adjudicating quarrels, property settlements, and so on. Since these functions have now been assumed [657] by officials of the Moroccan government, the council's power has been considerably reduced although its decisions still carry a moral authority of some substance.

7: Mikesell K-4,5 (1955-1957) 1961 MX3 Rif MX3

a tower used as a lookout and blockhouse.[9] Conflict was most serious in the Rif, where it was necessary to establish a system of women's markets so that the members of feuding cantons or tribes could carry on a rudimentary trade. Another indication of the varying degrees of dissidence is the scale of fines imposed by customary law. The fine imposed for murder by the Aith Wariyaghar was four times as large as the fine for the same crime among the more pacific Sanhajan tribes.[10] In the laws of the Aith Seddath there is no mention of house-burning, a frequent occurrence in the Rif.

In the days before the European occupation the division between government and dissidence coincided with a division between authoritarian order and representative councils. This division might be described also as a contrast between Arab and Berber systems of government. The Berber system was based upon superimposed councils. The smallest was the council of a village or a number of scattered farmsteads. The second council, called the "council of the great," had jurisdiction over a canton. At least one and sometimes all members of the second council participated in the deliberations of a tribal council. The system was democratic, with rotation of authority; thus no one could gain excessive power. The Arab system was and is quite different, for authority rests with individuals, from the *qaid* who rules the tribe to the *shaikh* or *muqaddam* who rules the village or hamlet.

Of the many ceremonies that influence an individual's life, marriage is by far the most important. Here again there are marked differences from one area to another. In the Rif the wedding celebration lasts seven days; on the first four days, private feasts are held for the families involved; on the last three days, guests are invited to the feasts. In Jbala, Ghmara, and most of Sanhaja as-Srair the wedding celebration lasts only three nights. Other differences appear in the entertainment offered to the guests and the complicated rules that govern the behavior of the bride and groom.[11]

The other crises in the life of an individual—naming, the first haircut, and circumcision—vary correspondingly, as do the procedures related to death and burial. When a corpse is ready for burial in the Rif, it is carried on the door of the local mosque, and virtually the whole community turns out for the procession and funeral. In the Arabized sector of northern Morocco the body is usually carried by paid pallbearers, and only the immediate family may attend the burial. Among the Aith Bu Yihyi and Ulad Stut it is standard practice to carry the dead to the burial place on the back of a donkey or mule.[12]

The number of material traits that can be used as a basis for cultural differentiation is almost unlimited. Containers of skin and iron in Garet contrast with pottery in the Rif, and wooden vessels in Sanhaja as-Srair. Even within the Rif one may distinguish the handmade pottery in Igzinnayen, Aith Ammarth,

[9] Most of the towers were removed in 1922 by order of Abd al-Krim. D. M. Hart, "An Ethnographic Survey of the Riffian Tribe of Aith Wuryaghil," *Tamuda*, Revista de Investigaciones Marroquíes, 2 (1954), 38.

[10] For further information on customary law in the Rif, see E. Blanco Izaga, *El Rif: la ley rifeña* (Ceuta: Imprenta Imperio, 1939), pp. 71–75.

[11] Edward Westermarck, *Marriage Ceremonies in Morocco* (London: Macmillan and Co., Ltd., 1914).

[12] C. S. Coon, "Tribes of the Rif," *Harvard African Studies*, 9 (1931), 143–145.

[TEXT CONTINUED ON PAGE 9 1

173 the valley for prayer, he shot their schoolmaster and two others be-
628 fore his rifle jammed, and he wept.

Now the Tadmutis laid a shame compulsion on Bukkeish's men at the foot of the valley by slaughtering an ox on their mosque door, and more blood was shed, until finally the councilors convened from hill and valley, to sit like birds of prey at the scene of slaughter. Many angry words were said; finally a decision was made. The Ulad 'Abd el-Mumin had committed sacrilege by killing men, however much they deserved to die, on the holy feast day which the Prophet had designated as the end of the pilgrimage. For sacrilege there was only one punishment, exile. Leading a few thin cows the women of the Ulad 'Abd el-Mumin and the few men who remained alive climbed the path out of the valley, with the smoke of their houses rising behind them. One day they returned, but that is another story. In the meantime they lived in a village outside of Fez with other exiled Riffians, caring for the olive trees of rich Arabs and dreaming of revenge. Not all returned, and their children and grandchildren may be seen, blue eyed and yellow turbaned, near the Bab Gīsa in Fez.

621 This true story illustrates the Riffian system of government. The
614 unit of society above the family is not the village, but the clan, which
212 owing to the linear nature of the arable land, spread along narrow
191 watercourses, may be housed in several separate clusters of houses. Each clan has its own schoolmaster, who is also registrar of deeds, since he is always literate. Many of the other men are also. While their spoken language is Berber, they write in Arabic, usually more classical than the daily speech of the Moroccan Arabs, which but few of them can understand. Each village also has a blacksmith, a Negroid whose home is in Targuist, the arsenal tribe of 'Abd el-Krīm.

621 In each cluster one village stands out as the seat of a Friday
778 mosque, usually maintained by a holy descendant of even holier
792 saints, whose tombs adorn the landscape and serve as minor places of pilgrimage, especially by women. Up in the tribes of Beni Amart and Targuist several mutually related families of murabiṭīn, the Ikhemrijen, dwell in green-roofed edifices built by Spanish renegades.

623 The village needs no council because all the men are kin, and
867 there are no wards or ṣofs to split them. Rarely do the men number more than two or three dozen. The schoolboys, sitting in the mosque, play at government, with a mock Asht Arba'in of their own. On

1: Coon E-5 (no date) 1951 M1 Middle East
Rif mx 3

623 minor points of difference, the men let them arbitrate and set fines
867 of a few eggs or loaves of bread, for their own consumption. Having thus learned the routine of sitting in judgment and also some of the oral qanūns, the boys are ready for the serious business ahead.

623 Once a week, when the nearest market meets, the older men of
627 the neighboring villages, corresponding to the "brains" of the Kabyles, meet in a house just off the grounds, or in good weather, under a tree. Over glasses of tea they settle any disputes which may
628 come up in the market or which litigants may bring them. When
619 more serious matters arise, such as the trouble between the Ulad 'Abd el-Mumin and the Beni Tadmut, the councilors of a single geographical unit, consisting of several clans, come together. They must be fed, and it is in the interest of the feuding parties to make a speedy settlement, with fines and blood money. Fines go to the councilors, who eat part and divide the rest. Blood money goes to the kin of the wounded or dead. If these councilors cannot settle the problem, the "fifth" is invoked—the whole series of little valleys and watershed cantons which forms the next largest political unit. Some tribes have only one "fifth," but Gzennaya and Beni Urriaghel each have five. If the "fifth" cannot settle the dispute, and the bloodshed spreads, then all the fifths join in. If the whole tribe is embroiled, the councilors of another tribe may invade and catch them unawares, to their great loss. The longer the fight remains unsettled the greater the number of participants, each new and larger body trying to capitalize on the confusion of the partisans.

It can be readily seen that few troubles reach intertribal proportions. This device of government in depth works. Feuding keeps the population down, and the fear of interference keeps the feud isolated and within bounds. Chronic troublemakers, and those who break the rules, must go. On the other hand when some outside force threatens more than a small portion of the Rif, the mechanism is at hand for all to unite, forcefully if ephemerally. The elders of one clan perform a compulsion of shame on another, thus forcing them into alliance, called *lif*, as elsewhere. As the danger grows, so
643 does the lif. In this manner 'Abd el-Krīm (who had been educated by
721 the Spaniards) set up a government of the whole Rif, which defeated Spain in two great battles in 1921 and 1924, and but for the use of aircraft and tanks by his enemy, might have held the French army indefinitely at bay. No sultan had ever been able to conquer this classic corner of the Land of Insolence, which is all the more remark-